

CLERK'S OFFICE
AMENDED AND APPROVED
Date: 5-4-99

Submitted by: Chair of the Assembly at
the request of the Mayor
Prepared by: Department of Law
For reading: March 16, 1999

ANCHORAGE, ALASKA
AO NO. 98-51(S)

AN ORDINANCE OF THE MUNICIPALITY OF ANCHORAGE AMENDING ANCHORAGE MUNICIPAL CODE CHAPTERS 11.10-11.40 GOVERNING THE AUTHORITY OF THE ANCHORAGE TRANSPORTATION COMMISSION; CHANGING THE REGULATION OF TAXICABS, LIMOUSINES, AND VEHICLES FOR HIRE; CHANGING THE REGULATION OF CHAUFFEURS OPERATING TAXICABS, LIMOUSINES, AND VEHICLES FOR HIRE; AND CHANGING THE REGULATION OF DISPATCH SERVICES.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1: That AMC Chapter 11.10 is amended to read as follows:

Chapter 11.10

GENERAL PROVISIONS

Sections:

- 11.10.010 Definitions.
11.10.020 Anchorage [MEMBERSHIP OF] T[T]ransportation C[C]ommission.
11.10.030 Anchorage Transportation Commission--Powers
and duties [OF TRANSPORTATION COMMISSION.]
11.10.040 Anchorage Transportation Commission--
Regulations [OF TRANSPORTATION COMMISSION -- OPERATIONS
STANDARDS.]
11.10.050 Anchorage Transportation Commission--Rates [REGULATIONS OF
TRANSPORTATION COMMISSION--SERVICE AND LEASE
RATES].
11.10.055 [REGULATIONS OF] Anchorage T[T]ransportation C [C]ommission-Complaints
and civil and criminal citations.
11.10.060 Hearing officer.
11.10.070 Powers and duties of T [T]ransportation I [I]nspector.
11.10.080 Vehicle inspections.
11.10.085 [CHAUFFEUR] D [D]rug and alcohol testing.
11.10.090 Enforcement authority [OF TITLE].

- 1 11.10.100 Hearings--Appeals [DENIAL OF LICENSE OR PERMIT; APPEALS].
2 11.10.110 Denial, suspension or r[R]evocation of license or permit.
3 11.10.120 [CHRONIC VIOLATIONS BY CHAUFFEURS.] [REPEALED]
4 11.10.130 Penalties and remedies.
5 11.10.140 Renewal of license or permit.
6 11.10.150 Duty [OF LICENSE AND PERMIT HOLDERS] to maintain current application.
7 11.10.160 [LICENSE AND PERMIT] F [F]ees.
8 11.10.170 Review and certification of application [FOR LICENSE OR PERMIT].
9 11.10.180 Compliance with AS 28.05.095(b) required.

10
11
12 11.10.010 Definitions.

13
14 When used in chapters 11.10-11.40:

15
16 [THE FOLLOWING WORDS, TERMS AND PHRASES, WHEN USED IN
17 CHAPTERS 11.10 THROUGH 11.40, SHALL HAVE THE MEANINGS ASCRIBED TO
18 THEM IN THIS SECTION, EXCEPT WHERE THE CONTEXT CLEARLY INDICATES A
19 DIFFERENT MEANING:]

- 20
21 A. *Amusement or novelty rides* means any transportation for hire not operated on public
22 streets and highways.
23 [BUS MEANS ANY VEHICLE USED TO TRANSPORT PASSENGERS FOR HIRE
24 IN CONNECTION WITH THE MUNICIPALITY'S MASS TRANSIT SYSTEM.]
25
26 B. *Chauffeur* means a person authorized by the T[T]ransportation I[I]nspector through the
27 issuance of a chauffeur's license to operate a vehicle regulated by this title [A VEHICLE
28 FOR HIRE PURSUANT TO CHAPTER 11.30].
29
30 C. *Chauffeured transportation* means transportation through a vehicle controlled or driven
31 by an operator or chauffeur.
32
33 D. *Commission* means the Anchorage Transportation Commission [MUNICIPAL
34 TRANSPORTATION COMMISSION].
35
36 E. *Courtesy vehicle* means a motor vehicle having a manufacturer's stated seating capacity
37 of 15 or fewer passengers, which capacity includes the driver, and is operated for the
38 benefit of a customer without charge by an entity that derives its revenue from sources
39 other than operation of the vehicle transporting the customer.
40
41 F. *Dispatch service* means a business [PERSON] authorized pursuant to C[C]hapter 11.40
42 to engage in the dispatch of taxicabs to persons desiring to hire them.

1 G. Division [SECTION] of Measurement Standards [WEIGHTS AND MEASURES] means
2 the Division [SECTION] of Measurement Standards [WEIGHTS AND MEASURES] of
3 the Department of Commerce and Economic Development of the State of Alaska.
4 [SHARED RIDE MEANS A SERVICE FOR NONEXCLUSIVE PASSENGER
5 TRANSPORTATION FOR HIRE OFFERED BY A TAXICAB PURSUANT TO A
6 LIMITED TAXICAB PERMIT OR BY A VEHICLE FOR HIRE IN AND BETWEEN
7 THE GEOGRAPHIC ZONES ESTABLISHED BY AMCR 11.10.009.D.3.]

8
9 H. Limousine means a luxury vehicle designated by its manufacturer as a limousine and used
10 to transport passengers for hire by means of a chauffeur over unfixed and undefined
11 routes based upon hourly rates. Limousines shall include executive sedans specifically
12 approved as luxury vehicles by the Commission. Executive sedans are further defined as
13 four-door luxury vehicles each having a seating capacity of not more than five passengers,
14 which capacity does not include the driver. Executive sedans shall be permitted only to
15 a bona fide luxury limousine company at a ratio of no more than fifty percent (50%) of
16 the current permitted limousines of that company.

17
18 I. [HORSE-DRAWN] Non-motorized vehicle means any type of passenger conveyance
19 which is moved by means other than motorized means and is operated on municipal
20 rights-of-way [OF ONE OR MORE HORSES] and is offered for hire. A non-motorized
21 vehicle includes a vehicle drawn by one or more horses.

22
23 J. Operate means to drive, pick up, transport or discharge passengers.

24
25 K. Permit means a written authorization approved by the Commission and issued by the
26 Transportation Inspector allowing the operation of a vehicle regulated by this title. A
27 permit to operate may be separate from ownership or leases of the vehicle or service
28 operated. A permit to operate does not include a chauffeur's license. Such a permit is
29 separate and distinct from a chauffeur's license [PERMIT MEANS A TAXICAB
30 PERMIT, LIMOUSINE PERMIT AND VEHICLE FOR HIRE PERMIT UNLESS
31 EXPRESSLY LIMITED].

32
33 L. Permittee means a person authorized by the Commission to put a regulated vehicle in
34 service [TO PROVIDE TAXICAB, LIMOUSINE OR VEHICLE FOR HIRE SERVICE
35 PURSUANT TO CHAPTER 11.20 UNLESS EXPRESSLY LIMITED, AND
36 INCLUDES A PURCHASER UNDER A RESERVE TITLE CONTRACT OR
37 CONDITIONAL SALES AGREEMENT PERTAINING TO A PERMIT ISSUED
38 PURSUANT TO CHAPTER 11.20].

39
40 M. "Quasi-criminal" refers to an offense which characteristically involves conduct
41 inappropriate to an orderly society but does not denote criminality in its commission and
42 does not give rise to the possibility of incarceration, disability, or legal disadvantage

based on conviction of a crime.

N. *Rate* means every rate, toll, fare, rental charge, or other form of compensation demanded, [OBSERVED,] charged, or collected by a permittee or chauffeur [TAXICAB, LIMOUSINE, VEHICLE FOR HIRE, HORSE-DRAWN VEHICLE OR DISPATCH SERVICE IN RETURN] for its services.

O. *Regulated vehicle* means any vehicle regulated by this title.

P. *Taxicab* means a chauffeured motor vehicle equipped with a taximeter used to transport passengers for hire having a manufacturer's rated seating capacity of nine (9) or fewer persons, which capacity includes the driver [NINE PASSENGERS OR LESS INCLUDING THE DRIVER,] and which is not operated over fixed or defined routes.

Q. *Taximeter* means an instrument or device attached to a taxicab and by means of which the charge for such vehicle is mechanically or electronically calculated and displayed in dollars and cents. Such calculations may be premised upon the distance traveled or waiting time, or both.

R. *Transportation [I]nspector* means the chief administrative officer of the T [T]ransportation [I]nspection D[D]ivision or his or her designee.

S. *Vehicle for hire* means any form of motorized chauffeured passenger transportation offered for hire having a manufacturer's stated seating capacity of 15 or fewer persons, which capacity includes the driver, and does not mean [EXCEPT] a horse-drawn vehicle, [OR] a taxicab, limousine or a vehicle owned or leased by the M[M]unicipality and used to transport passengers for hire in connection with the M[M]unicipality's operation of its mass transit system. A vehicle for hire is intended to satisfy a demonstrated, specific public need by offering and providing limited purpose and shared or exclusive public transportation services as may be authorized by the Commission.

11.10.020 Anchorage Transportation Commission. [MEMBERSHIP OF TRANSPORTATION COMMISSION].

The [TRANSPORTATION] C[C]ommission shall be composed of five members appointed by the M[M]ayor and confirmed by the A[A]ssembly. The T[T]ransit D[D]irector or his or her designee shall serve as an ex-officio member of the C[C]ommission.

11.10.030 Anchorage Transportation Commission--Powers and Duties [OF TRANSPORTATION COMMISSION].

- 1 A. The [TRANSPORTATION] C [C]ommission shall regulate all regulated vehicles
2 [TAXICABS, LIMOUSINES, VEHICLES FOR HIRE], chauffeur[]s, and dispatch
3 services in accordance with this title except for those vehicles for hire which the
4 C[C]ommission determines to be subject to a comprehensive regulatory program
5 established by Alaska or federal law. No motorized vehicle may be offered for hire to
6 transport passengers in Anchorage without being a regulated vehicle, or a vehicle owned
7 or leased by the Municipality and used to transport passengers for hire in connection with
8 the Municipality's operation of its mass transit system. The Commission shall not regulate
9 amusement or novelty rides; courtesy vehicles; buses or bus service; or vehicles with a
10 manufacturer's rated seating capacity of sixteen (16) or more persons, which capacity
11 includes the driver. However, the Commission may regulate drivers of courtesy vehicles.
12 The purpose of the regulations set forth in this chapter or adopted by the Commission shall
13 be to protect the public's interest with respect to the price and quality of service provided
14 by regulated vehicles. Such regulations may set maximum charges for service and
15 minimum standards for service.
- 16
- 17 B. The C[C]ommission shall hold at least two (2) [THREE] public hearings annually to
18 investigate the quality of services rendered by regulated vehicles [TAXICABS,
19 LIMOUSINES AND VEHICLES FOR HIRE] and their permittees [HOLDERS] and shall
20 make such recommendations to the A[A]ssembly as it deems necessary for the
21 improvement of such service.
- 22
- 23 C. The C[C]ommission or its designee may administer oaths, certify to all official acts, and
24 issue subpoenas and other process to compel the attendance of witnesses and the production
25 of testimony, records, papers, accounts, and documents in an inquiry, investigation,
26 hearing, or proceeding before the C[C]ommission. The C[C]ommission may petition a
27 court of this state to enforce its subpoenas or other process.
- 28
- 29 D. [THE CHAIRMAN OF THE COMMISSION OR ANOTHER MEMBER OF THE
30 COMMISSION DESIGNATED BY THE CHAIRMAN, ACTING ALONE AND
31 OUTSIDE ANY MEETING OF THE COMMISSION, SHALL REVIEW DECISIONS OR
32 ACTIONS OF THE TRANSPORTATION INSPECTOR, TAKEN PURSUANT TO
33 SECTIONS 11.10.100.C. OR 11.10.120, AND THAT PERSON SHALL REPORT HIS
34 DECISION TO THE COMMISSION.] The C[C]ommission may provide for a hearing
35 officer to conduct [SUCH] hearings, to make rulings regarding the admission of evidence
36 and procedure, to prepare a proposed decision, with findings of facts and conclusions of
37 law, which may be adopted by the designated member of the C[C]ommission charged with
38 making such decisions under this section. The designated member of the C[C]ommission
39 may adopt the hearing officer's decision or decide the matter himself or herself based upon
40 the record. Delegation of hearing officer responsibilities under this section may be to the
41 Administrative Hearing Officer created under AMC 14.20.010
- 42

11.10.040 Anchorage Transportation Commission--Regulations [OF TRANSPORTATION COMMISSION--OPERATIONS STANDARDS].

Pursuant to chapter 3.40 of this code, the C[C]ommission may promulgate regulations relating to chauffeurs, the operation of regulated vehicles, [TAXICABS, LIMOUSINES, VEHICLES FOR HIRE] and dispatch services. Such regulations may [AND] not be inconsistent with the provisions of chapters 11.10-11.40 [11.10 THROUGH 11.40].

11.10.050 Anchorage Transportation Commission--Rates [REGULATIONS OF TRANSPORTATION COMMISSION--SERVICE AND LEASE RATES].

A. By regulation, the C[C]ommission:

1. Shall establish maximum rates to be charged for taxicab service;
2. [SHALL ESTABLISH MAXIMUM RATES TO BE CHARGED FOR SHARED RIDE SERVICE;
- 3.] May establish dispatch service rates;
- 3[4]. May establish rates for vehicles for hire;
- 4[5]. May establish minimum rates for limousine service: and
- 5[6]. May establish maximum lease rates between permittees and lease operators of taxicab service, including daily lease rates for taxicab chauffeurs.

D. All rates established by the C[C]ommission shall be nondiscriminatory.

C. A statement of actual taxicab rates charged by a taxicab, other than flat or group rates established by contractual agreement between dispatch service companies and individuals or other businesses, shall be conspicuously posted on the interior and exterior of every taxicab in a manner prescribed by the T [T]ransportation I [I]nspector.

D. No person may require payment of taxicab rates greater than those established by the C[C]ommission pursuant to this section. No person may require payment of dispatch service rates other than those established by the C[C]ommission pursuant to this section.

E. Regulated vehicle services [VEHICLE FOR HIRE SERVICES, OTHER THAN SHARED RIDE SERVICES] and limousine services may establish their own individual rates, subject to rates established by ordinance or as a condition of the issuance of the permit. Each

vehicle operated as a vehicle for hire[, WHILE NOT OPERATED FOR SHARED RIDE SERVICE,] shall conspicuously post a sign on each side of the vehicle, such sign stating the full name of the vehicle for hire service and, if required by the T [T]ransportation I [I]nspector, the fare to be charged.

11.10.055 [REGULATIONS OF] Anchorage Transportation Commission -- Complaints and civil and criminal citations.

[BY REGULATION,] T[T]he C[C]ommission, ~~by regulation and/or~~ through the Transportation Inspector, shall:

1. Establish a record of [DAILY LOG RECORDING] all complaints and civil and criminal and quasi-criminal citations registered against chauffeurs of regulated vehicles [TAXICABS, LIMOUSINES AND VEHICLES FOR HIRE.] or against the condition of a regulated vehicle. [TAXICAB, LIMOUSINE OR VEHICLE FOR HIRE.] The record [LOG] shall [WILL] identify the chauffeur, permit [CAB] number, and permittee [HOLDER] of the vehicle involved in the complaint or citation, as well as the name, address, and/or telephone number of the complainant. A complainant's identification may be held confidential by the C[C]ommission upon request of the complainant(s). Absent additional evidence, an a[A]nonymous complaint[S] does not constitute a sufficient basis for a [EVIDENCE UPON WHICH ANY] civil citation or penalty [MAY BE IMPOSED UNDER THIS TITLE].
2. Require dispatch companies to establish a record of [DAILY LOG RECORDING] all complaints registered against chauffeurs of regulated vehicles [TAXICABS, LIMOUSINES AND VEHICLES FOR HIRE]. or against the condition of a regulated vehicle. [TAXICAB, LIMOUSINE OR VEHICLE FOR HIRE.] The record [LOG] shall [WILL] identify the chauffeur, permit [CAB] number, and permittee [HOLDER] of the vehicle involved in the complaint, as well as the name, address, and/or telephone number of the complainant, if available. A [THE]complainant's identification may be withheld from the complaint log by the dispatch company and instead transmitted confidentially to the Transportation Inspector [COMMISSION] upon request of the complainant. Absent additional evidence, an a[A]nonymous complaint[S] does not constitute a sufficient basis for a [EVIDENCE UPON WHICH ANY] civil citation or penalty [MAY BE IMPOSED UNDER THIS TITLE]. The dispatch companies shall, on a monthly basis, provide the Transportation Inspector [COMMISSION] with a complete copy of logged complaints.
3. Require that within [AND WITHOUT] all regulated vehicles [TAXICABS,

LIMOUSINES AND VEHICLES FOR HIRE] a C[C]ommission-approved notice of the telephone numbers required for the filing of complaints with the C[C]ommission and the number of the vehicle [CAB] utilizing the permit shall be prominently displayed in a manner, size, and location designated by the Transportation Inspector [APPROVED BY THE COMMISSION].

4. Make available to permittees [HOLDERS], upon request, a monthly summary of all logged complaints, civil citations, criminal and quasi-criminal citations filed and [OR CRIMINAL] convictions entered [FILED] against chauffeurs or vehicles operating under their permits, containing the information described in subsection 1 of this section.
5. Within two working days of issuance of a civil or quasi-criminal citation, criminal complaint, or criminal citation by the Transportation Inspection Office or criminal conviction against any chauffeur or vehicle operating under a permit, mail notice of such complaint or citation or conviction to the permittee [HOLDER] at the permittee's [HOLDER'S] current address as filed with the T[T]ransportation I[I]nspector pursuant to Sections 11.20.020.B and 11.10.150.
6. Where non-renewal is recommended by the Transportation Inspector, provide to the C[C]ommission, [AND TO] the A[A]ssembly, and the permittee thirty (30) [60] days prior to the C[C]ommission's annual review of the permit[S] for possible renewal, a summary of all investigated and substantiated complaints, criminal citations and convictions, and civil citations filed against the [EACH] permit during the prior twelve (12) months. As used in this section, the term "citation" means a charging document [CIVIL SUMMONS] issued pursuant to chapter 11.10 or 11.20 which has either been confirmed on appeal or was never appealed within the time limit imposed by law for such appeals. As used in this section, the term "citation" means a charging document [CIVIL SUMMONS] issued pursuant to chapter 11.10 or 11.20 which has either been confirmed on appeal or was never appealed within the time limit imposed by law for such appeals.
7. Utilize citation and conviction findings in the annual review process to determine whether the renewal of an individual permittee's permit to operate remains in the continued public interest and welfare.
8. [THROUGH THE TRANSPORTATION INSPECTOR,] P[P]rovide current information in response to any public request, as to the number of civil and quasi-criminal citations issued by the Transportation Inspection Office and criminal convictions issued against a [THE TAXICAB] chauffeur [DRIVER] or permittee [HOLDER] within the preceding twelve (12) or eighteen (18) months, respectively, as well as the number of criminal citations currently pending.

11.10.060 Hearing officer.

- A. The C[C]ommission may conduct hearings and make rulings regarding the admission of evidence and procedure, or the chairman of the C[C]ommission may appoint a hearing officer to do so without a quorum of the C[C]ommission being present. This subsection does not apply to matters heard by the chairman of the C[C]ommission or his or her designee pursuant to section 11.10.030.D. The Municipal Administrative Hearings Officer may be designated as the hearing officer under this section.
- B. If a matter is heard by a hearing officer alone, he or she shall prepare a proposed decision in a form, including findings of fact and conclusions of law, which may be adopted by the C[C]ommission as its decision. The hearing officer who presided at the hearing shall, if requested, be present during the consideration of the case by the C[C]ommission to assist and advise the C[C]ommission.
- C. If the proposed decision ^{of the hearing officer} is not adopted, the C[C]ommission shall decide the case upon the record. The record shall include tapes or transcripts of any hearings.

11.10.070 Powers and duties of T[T]ransportation I[I]nspector.

In addition to the other duties and powers granted by this title, the T[T]ransportation I[I]nspector shall:

- A. Act as recording secretary to the C[C]ommission; [.]
- B. Keep records relating to regulated vehicles [TAXICABS, LIMOUSINES OR VEHICLES FOR HIRE], chauffeurs, and dispatch services licensed under this title; [.]
- C. Investigate, inspect, and examine vehicles, drivers, records, and any and all other things related to the operation of regulated vehicles [TAXICABS, LIMOUSINES OR VEHICLES FOR HIRE] to assure that the provisions of chapters 11.10-11.40 are enforced and obeyed; [.]
- D. Receive and process all applications for permits and licenses; and [.]
- E. Perform those administrative [MINISTERIAL] duties of the C [C]ommission which are delegated to him or her by the C [C]ommission.

11.10.080 Vehicle inspections.

- A. Vehicles shall be inspected twice annually with the exception that limousines shall be

1 inspected annually or at 10,000 miles, whichever occurs first. One of the two semi-annual
2 inspections shall occur during the month of the vehicle registration and the other semi-
3 annual inspection shall occur during the month which is six months from the month of the
4 vehicle registration. The permittee/vehicle owner will be responsible for scheduling the
5 inspections. The Transportation Inspector will designate the location, scope of inspection,
6 and vendor with qualified persons to inspect the regulated vehicles. Additional random or
7 reasonable cause inspections may be directed by the Transportation Inspector. Any random
8 inspection resulting in a passing score shall be counted toward the number required under
9 this section. A maximum of twenty-five percent (25%) of the regulated vehicles may be
10 on an annual basis selected randomly by computer and required to undergo an inspection
11 by the vehicle inspection contractor. The cost for the random and reasonable cause
12 inspections will be the responsibility of the permittee. [AT LEAST TWICE A YEAR ALL
13 TAXICABS, LIMOUSINES AND VEHICLES FOR HIRE SHALL BE INSPECTED.
14 SUCH INSPECTIONS SHALL BE CONDUCTED ON A RANDOM BASIS. THE
15 TRANSPORTATION INSPECTOR SHALL SCHEDULE THE TIME, PLACE AND
16 SCOPE OF INSPECTION AND DESIGNATE A QUALIFIED PERSON TO INSPECT
17 THE TAXICABS, LIMOUSINES AND VEHICLES FOR HIRE. IF THE INSPECTION
18 IS PERFORMED BY A PRIVATE PERSON AT THE DIRECTION OF THE
19 TRANSPORTATION INSPECTOR, THE PERMITTEES SHALL PAY AN
20 INSPECTION FEE FOR THAT SERVICE AS ESTABLISHED BY THE
21 TRANSPORTATION INSPECTOR AND THE PRIVATE PERSON PERFORMING THE
22 INSPECTION. NO TAXICAB, LIMOUSINE OR VEHICLE FOR HIRE MAY BE
23 OPERATED UNTIL IT HAS BEEN INSPECTED AND FOUND TO BE IN A SAFE
24 AND CLEAN CONDITION AND IN COMPLIANCE WITH ALL APPLICABLE
25 LAWS].

26
27 B. When a regulated vehicle has been permitted for two years or has accumulated a total of
28 200,000 miles, the inspection frequency may be increased to a total of four inspections
29 annually. The Transportation Inspector shall be responsible for notifying the permittee or
30 vehicle owner of the increased inspections. The Transportation Inspector may make a
31 determination pursuant to regulations adopted by the Commission, that the regulated
32 vehicle is mechanically unsound or does not present a proper appearance to continue in
33 service. In the event a vehicle is determined to no longer be suitable for service, the
34 permittee or vehicle owner shall take the vehicle out of service immediately.

35
36 C[B]. The owner of a damaged regulated vehicle [TAXICAB, LIMOUSINE OR VEHICLE FOR
37 HIRE] shall notify the permittee and T[T]ransportation I[I]nspector of the damage
38 sustained no later than 5:00 p.m. of the next M [M]unicipal workday and arrange for an
39 inspection of the regulated vehicle[TAXICAB, LIMOUSINE OR VEHICLE FOR HIRE].
40 No person may operate a vehicle as a regulated vehicle [TAXICAB, VEHICLE FOR HIRE
41 OR LIMOUSINE] unless such vehicle is in a safe, clean condition and in compliance with
42 all applicable laws.

D [C]. The T[T]ransportation I[I]nspector may require a regulated vehicle [TAXICAB, LIMOUSINE OR VEHICLE FOR HIRE] to be parked until such time as it has been inspected if he or she has reason to believe that the regulated vehicle [TAXICAB, LIMOUSINE, OR VEHICLE FOR HIRE] poses a threat to the safety or health of persons or to property.

11.10.085 [CHAUFFEUR] D[D]rug and alcohol testing.

A. ~~By regulation,~~ the C[C]ommission shall:

1. Cause to be established a C[C]ommission-approved [INITIAL CHAUFFEUR APPLICANT DRUG SCREENING TEST, AND A RANDOM AND REASONABLE CAUSE, POST-ACCIDENT AND POST-CITATION] drug and alcohol testing program for chauffeurs of regulated vehicles [TAXICABS, LIMOUSINES AND VEHICLES FOR HIRE]. The program shall include chauffeur applicant drug screening tests, random tests, reasonable cause tests, post-accident tests, and post-citation tests. The testing program shall[WILL] be administered by the T[T]ransportation I[I]nspector.
2. Provide for the immediate denial or revocation of the chauffeur's license by the T[T]ransportation I[I]nspector of any such chauffeur failing, or failing to submit to, such a [N] [INITIAL] chauffeur application drug screening test, [OR] a random [AND REASONABLE CAUSE] drug or alcohol test, a reasonable cause drug or alcohol test, a [OR] post-accident drug or alcohol test, a [OR] post-citation drug or alcohol test, or a period of not less than six (6) months for a first offense [AND]. In the case of a revocation under this section, the revocation may continue beyond six (6) months until such time as the chauffeur shall submit evidence of successful completion of a drug or alcohol abuse treatment program.
3. Provide for the immediate revocation by the Transportation Inspector [COMMISSION] of the chauffeur's license of any chauffeur failing or failing to submit to, such a random, reasonable cause, post-accident, or post-citation test, for a period of not less than two years for a second or subsequent offense.
4. Provide for fees to pay for drug and alcohol testing with costs of testing borne by applicants for chauffeurs' licenses and costs of subsequent testing borne by permittees.[SHALL PROVIDE AN APPEALS PROCESS UNDER SECTION 11.10.110 OF THIS CHAPTER FOR PERSONS AGGRIEVED BY THE DENIAL OR REVOCATION OF A CHAUFFEUR'S LICENSE BY THE TRANSPORTATION INSPECTOR PURSUANT TO ENFORCEMENT OF THIS SECTION.]

B. A design, cost structure, and fee determination for the drug and alcohol testing program shall be developed by the C[C]ommission and submitted to the A[A]ssembly for approval subject to the following conditions:

1. Costs for a[N] [INITIAL] drug screening shall be borne by applicants for chauffeur's licenses.
2. Direct operational costs for random, post-accident, post-citation, and reasonable cause drug and alcohol testing program shall be borne by permittees [HOLDERS] through an increase in the annual permit renewal fee.

11.10.090 Enforcement authority [OF TITLE].

The M[M]ayor or his or her designee shall have the power of a peace officer to enforce the terms of this Code [AT THE PORT OF ANCHORAGE AND ALL MUNICIPAL AIRPORTS] and to enforce the terms of chapters 11.10-11.40 by issuing citations or, where authorized, filing complaints with the Municipal Administrative Hearings Officer under Title 11.

11.10.100 Hearings--Appeals [DENIAL OF LICENSE OR PERMIT; APPEALS].

A. If the T[T]ransportation I[I]nspector determines that an application for a chauffeur's license does not meet the requirements of this title, the T[T]ransportation I[I]nspector shall deny the application. The T[T]ransportation I[I]nspector shall issue a written decision to the applicant which shall state the specific reasons for that denial. Such written decision will be issued no later than seven (7) working days of the denial.

B. If the C[C]ommission determines that an application for a regulated vehicle [TAXICAB, LIMOUSINE OR VEHICLE FOR HIRE] permit or dispatch service license does not meet the requirements of this title, the C[C]ommission shall deny the application. The C[C]ommission shall issue a written decision to the applicant which shall state the specific reasons for that denial.

C. A person aggrieved by the denial or revocation of a chauffeur's license by the T[T]ransportation I[I]nspector pursuant to subsection A of this section, [OR] section 11.10.110.A, or [UNDER] section 11.10.085 may, within seven (7) (15) days of the denial or revocation decision, and upon payment of the filing fee required by section 11.10.160, appeal that decision to the chairman of the C[C]ommission or his or her designee [AS PROVIDED IN SECTION 11.10.030.D.] After a hearing conducted pursuant to chapter 3.60 of this Code, the chairman of the C[C]ommission or his or her designee may authorize the conditional or unconditional issuance or reinstatement of a denied or revoked license

upon an affirmative showing at a hearing by the appellant that (a) he or she has been rehabilitated and has the ability to assume the responsibilities of a chauffeur or (b) that the T[T]ransportation I[I]nspector exceeded his or her authority.

D. An appeal from any final decision of the Commission made under this title shall be made to the Superior Court, Third Judicial District, Anchorage, Alaska, no later than thirty (30) days following service of that decision upon the affected chauffeur or permittee at the last known address [THAT DECISION]. Review by the court shall be limited to determining whether [THAT] the decision appealed is supported by substantial evidence.

E. A permittee, chauffeur, or dispatch service who has been issued a civil citation [OR A PENALTY], including revocation for violation of a provision of chapters 11.10 through 11.40, or a permittee who has been subjected to a penalty, including revocation under section 11.10.110.B, may contest that citation or penalty by filing a notice of appeal with the T[T]ransportation I[I]nspector. The appeal shall be made on a form provided by the T[T]ransportation I[I]nspector no later than ~~seven (7)~~ ^{fifteen} days after the day the citation has been issued [DATE OF THE VIOLATION TO WHICH THE CITATION PERTAINS], or, in the case of imposition of a penalty against a permittee under section 11.10.110.B, no later than seven (7) days after notice of a penalty is personally served upon or mailed to the permittee. A hearing conducted pursuant to this section shall be conducted in accordance with chapter 3.60 by the chairman of the C[C]ommission or his or her designee, as provided in section 11.10.030.D. In an appeal from a penalty issued to a permittee pursuant to section 11.10.110.B, the C[C]ommission shall review all issues relevant to imposition of the penalty, including any citation upon which it is based, the T[T]ransportation I[I]nspector's determination that the citations demonstrate use of the permit contrary to the public safety and welfare, and any remedial action taken by the permittee as described in section 11.10.110.B. (15)

11.10.110 Denial, suspension, or revocation of license or permit [REVOCATION OF LICENSE OR PERMIT].

A. [REVOCATION OF CHAUFFEUR'S LICENSE.] The T[T]ransportation I[I]nspector shall have the power to suspend or revoke a chauffeur's license.

1. The T[T]ransportation I[I]nspector shall suspend or revoke a chauffeur's license if a chauffeur is convicted by a court of competent jurisdiction of an offense set forth in section 11.30.040.

2. The T[T]ransportation I[I]nspector may suspend or revoke a chauffeur's license upon receipt of evidence sufficient to cause the T[T]ransportation I[I]nspector to conclude by a preponderance of the evidence (i.e., that it is more likely than not)

that a chauffeur is incapable of controlling a motor vehicle safely. Such evidence may include violations of this title, Title 9 of this code, and/or any relevant medical or psychological evidence presented.

3. The T[T]ransportation I[I]nspector shall deny, suspend, or revoke the chauffeur's license of any chauffeur failing or refusing to submit to a drug and/or alcohol test as authorized by section 11.10.985 [AN INITIAL CHAUFFEUR APPLICATION DRUG SCREENING TEST, OR A RANDOM AND REASONABLE CAUSE DRUG OR ALCOHOL TEST AS AUTHORIZED BY THIS SECTION, OR FAILING A DRUG OR ALCOHOL TEST FOLLOWING A VEHICLE-RELATED ACCIDENT OR CITATION INCIDENT, OR REFUSING TO SUBMIT TO SUCH AN AUTHORIZED TEST AS DEFINED IN THIS SECTION].

4. The Transportation Inspector may suspend or revoke the chauffeur's license of a chronic violator. As used in this section, "chronic violator" means a chauffeur for which four citations have been issued during a period of twelve (12) consecutive months, regardless of whether each of the four citations concerns the same or different provisions of this title or regulations enacted thereunder. Citations which have been dismissed on appeal do not count towards the sum of the four citations.

B. Actions against permits. [REVOCATION OF PERMIT]

1. The C[C]ommission shall suspend or revoke a permit or upon finding, after a hearing, that:

a. [1.] No taxicab has been operated pursuant to the permit for forty-five (45) consecutive days or for ninety (90) days in any 12-month period, provided that such failure to operate is not caused by strike, public catastrophe, or other act beyond the control of the permittee, but not including insolvency or temporary revocation of a permit pending determination of an appeal of such revocation; [.]

b. [2.] The permittee has sold or otherwise lost the use of the vehicle which was being operated pursuant to the permit and has failed to replace it within 60 days after the date of such sale or loss, [.]

c. [3.] A preponderance of the evidence supports the conclusion that the permittee has committed an offense set forth in section 11.30.040.F, or [.]

d. [4.] A preponderance of the [FOLLOWING] evidence supports the conclusion that the permittee has failed to use the permit in a manner and fashion

consistent with the public safety and welfare[:].

i. In evaluating whether the permittee has failed to use the permit as required by this subsection, the Commission shall consider the following:

- (1) [i.] Citations for civil violations [BY A PERMITTEE] of sections 11.10.150 through 11.30.140, or of regulations adopted by the C[C]ommission under such ordinances, by a permittee or by a permittee's agent or lease operator with whom the permittee has entered an agreement which allows such agent or lease operator to provide taxicab service pursuant to the permittee's authority. Upon issuance of a civil citation the T[T]ransportation [I]nspector shall determine whether the citation demonstrates use of the permit contrary to the public safety and welfare and, if so determined, shall notify the permittee [HOLDER] of this determination at the time the permittee [HOLDER] is provided notice of the citation.
- (2) [ii.] The third [OR FOURTH] civil citation within a twelve (12) month period to a chauffeur operating under a permittee's permit for violations of sections 11.10.150 through 11.30.140, or of regulations adopted by the C[C]ommission under the authority of such ordinances. Upon issuance of a civil citation, the T[T]ransportation [I]nspector shall determine whether the citation demonstrates use of the permit contrary to the public safety and welfare and, if so determined, shall notice the permittee [HOLDER] of this determination at the time the permittee [HOLDER] is provided notice of the citation.
- (3) [iii.] Criminal convictions against a permittee or against a chauffeur operating under the permittee's permit, for offenses other than those set forth in section 11.30.040.E, for illegal vehicular operation, or for other illegal activity directly supported or enhanced by an illegal utilization of the permittee's permit which supports the conclusion that the permit

is being operated in a manner and pattern inconsistent with the public safety and welfare.

[FOR PURPOSES OF THIS SECTION, CURRENT YEAR CRIMINAL CONVICTIONS ARISING FROM CRIMINAL CITATIONS ISSUED IN PRIOR YEARS SHALL ACCRUE TO THE NUMBER OF CURRENT YEAR'S CITATIONS AND/OR CONVICTIONS DETERMINING CAUSE FOR AN IMPOSITION OF A PENALTY AGAINST THE PERMIT HOLDER.]

ii. [b]. A determination to revoke a permit under this subsection shall be based upon the total number of such civil citations and criminal convictions during a period of twelve (12) consecutive months. A conclusion that the permittee [HOLDER] has failed to use the permit in a manner and fashion consistent with the public safety and welfare may further be supported or ameliorated by:

(1) [i.] A review of the record of the permittee [HOLDER] for the preceding eighteen (18) months for prior civil citations and criminal convictions by a permittee, or chauffeur(s) operating under a permittee's permit, of sections 11.10.150 through 11.30.140, for offenses other than those set forth in sections 11.10.150 through 11.30.040.E. for illegal vehicular operation or for other illegal activity directly supported or enhanced by an illegal utilization of the permittee's permit, or of regulations adopted by the C[C]ommission under authority of such ordinances;[.]

(2) [ii.] Evidence concerning the circumstances and nature of the civil citation(s) or criminal conviction(s) indicating whether they demonstrate use of the permit in a manner inconsistent with the public safety and welfare; [.] or

(3) [iii.] Evidence of remedial actions taken by a permittee in response to a chauffeur's civil or criminal citation or criminal conviction. For purposes of this ordinance, the term "remedial action" is action reasonably calculated to prevent

recurrence of the same or similar violations by chauffeurs operating under the permittee's permit, and may include actions taken by the permittee either before or after notification of a chauffeur citation or conviction.

2. [5.] Revocation of a permit for violations described in subsection B(d)(i) of this section shall occur only after the T[T]ransportation I[I]nspector has imposed the following progressive penalties upon permittees [HOLDERS] for offenses described in subsection B(d)(i) of this section:

a.[i.] First civil citation or criminal conviction: A written notice warning of additional and/or increased fines for subsequent violations in accordance with this subsection or a fine [OF] not to exceed one hundred dollars (\$100.00) and a warning of the consequences of further violations.

b.[ii.] Second civil citation or criminal conviction: A fine not to exceed [OF] three hundred dollars (\$300.00) and a warning of the consequences of further violations.

c.[iii.] Third civil citation or criminal conviction: A fine not to exceed [OF] seven hundred fifty dollars (\$750.00) and/or revocation of the permit, plus a warning of the consequences of further violations.

d.[iv.] Fourth civil violation or criminal conviction: Any of the above penalties or r[R]evocation of the permit.

3.[v.] Upon issuance of a civil citation or a criminal conviction against a chauffeur, the T[T]ransportation I[I]nspector shall determine whether the citation or conviction demonstrates use of the permit contrary to public safety and welfare and, if so, shall notify the permittee [HOLDER] of such determination, at the time the permittee [HOLDER] is provided notice of the citation or conviction.

4.[vi.] No penalties shall be imposed for a period of at least ten (10) days following either:

a.([1]) Personal service upon the permittee of notice of penalty by the T[T]ransportation I[I]nspector stating that the civil citation or criminal conviction has been determined to demonstrate use of the permit contrary to public safety and welfare; or

b.[(2)] Mailing of such notice of penalty to the permittee's address on file with the T[T]ransportation I[I]nspector, whichever occurs first, so as to furnish the permittee a reasonable opportunity to take remedial action.

5.[vii.] The T[T]ransportation I[I]nspector may relax or suspend permittee [HOLDER] penalties set forth in the penalty schedule for civil citations or criminal convictions acquired by chauffeurs operating under the permit to the extent that the permittee [HOLDER] has taken remedial action for chauffeur-caused offenses. /Relaxation See #1 on Amendment Page.
may include a reduction or waiver of the prescribed fine or revocation penalty.

6. i. Revocation penalties under subsection B[5](2) of this section shall not be imposed, except as provided under section B[4](7) of this section, for ten (10) days following service or notification by mail to the permittee [HOLDER] of the civil citation or criminal conviction, in order to provide an opportunity for the permittee [HOLDER] to appeal for a review by the C[C]ommission of the immediate penalty to be imposed.

ii. Should such an appeal be submitted, the penalty of revocation shall not be imposed, except as provided under subsection B[4](7) of this section, until the C [C]ommission has an opportunity to determine whether to suspend the revocation action pending the C[C]ommission's decision on the appeal.

iii. The C[C]ommission shall address the question of immediate revocation pending appeal at its first meeting following the filing by the permittee [HOLDER] of the appeal, and shall defer the revocation action until the appeal is decided, unless it finds that continued operation of the permit during the appeal process presents substantial further risk to the public health or welfare.

7. i. The T[T]ransportation I[I]nspector may immediately revoke a permit upon issuance of a notice of revocation under this subsection if the T[T]ransportation I[I]nspector determines that continued operation of the permit will result in immediate and substantial risk to the public health or welfare.

ii. If the T[T]ransportation I[I]nspector revokes a permit based upon such determination, the revocation action shall expire in ten (10) days, unless within this time the C[C]ommission holds a hearing and determines that a continued emergency revocation is warranted

or until such time as the C[C]ommission makes a decision on an appeal to the revocation, should such an appeal be filed by the permittee [HOLDER].

8. The C[C]ommission shall reverse or revise a penalty, including a revocation, to the extent appropriate, in the event that a civil or criminal conviction contributing substantially to the determination of revocation of a permit is reversed on appeal to court.
9. The C[C]ommission may suspend or revoke a permit upon finding after a hearing that for a period of thirty (30) days after notice by the T[T]ransportation I[I]nspector that the permit is in noncompliance for failure to maintain or participate in maintenance of a chauffeur training program as required under section 11.20.130, [OR] the permittee [HOLDER] fails to furnish evidence of permittee's [HOLDER'S] maintenance or participation in maintenance of such training and testing program; provided that the permittee [HOLDER] may obtain reissuance of the permit within thirty (30) days following revocation upon compliance with all requirements for application for a permit, including a demonstration of the permittee's [HOLDER'S] maintenance or participation in maintenance of an approved driver training and testing program.

C. [REVOCATION OF DISPATCH SERVICE LICENSE] The C[C]ommission may [SHALL] suspend or revoke a dispatch service license upon a finding after a hearing that:

1. Such dispatch service has not commenced operation within ninety (90) days after issuance of the license;
2. Such dispatch service has failed to provide dispatch services for a period of ninety (90) consecutive days, provided that such failure to operate is not caused by strike, public catastrophe, or other act beyond the control of the dispatch service licensee but not including insolvency; or
3. During a period of twelve (12) consecutive months, such dispatch service has been issued ~~three or more~~ four [FOUR] citations. As used in the preceding sentence [THIS SUBSECTION], the term "citation" means a civil citation issued pursuant to section 11.10.090 which has either been confirmed on appeal or was never appealed within the time limit imposed by law for such an appeal.

D. [VIOLATION OF TERMS OR SUSPENSION OR REVOCATION.] Violation of the terms of a suspension or revocation imposed by this section is a separate violation of this title.

E. [EFFECT OF SUSPENSION OR REVOCATION OF STATE DRIVER'S LICENSE.]
Upon suspension or revocation of a chauffeur's Alaska driver's license, his or her chauffeur's license shall simultaneously and automatically become void. A chauffeur shall surrender such license to the T[T]ransportation I[I]nspector within three (3) days after suspension or revocation of his or her Alaska driver's license or upon suspension or revocation of his or her chauffeur's license. Such a chauffeur shall not thereafter operate a vehicle for which a chauffeur's license is required unless he or she is first issued a new chauffeur's license in accordance with section 11.30.040.

F. A chauffeur must surrender his or her chauffeur's license to the Transportation Inspector within three (3) days of any suspension or revocation.

11.10.120 [CHRONIC VIOLATIONS BY CHAUFFEURS.]
[Repealed.]

[A.] NO CHAUFFEUR SHALL ALLOW, MAINTAIN OR PERMIT A PUBLIC NUISANCE TO EXIST.

B. A CHAUFFEUR'S CHRONIC VIOLATION OF A REQUIREMENT OF THIS TITLE OR A REGULATION ENACTED THEREUNDER IS A PUBLIC NUISANCE WHICH IS SUBJECT TO ABATEMENT BY REVOCATION OF THE CHAUFFEUR'S LICENSE ISSUED TO SUCH A CHRONIC VIOLATOR. AS USED IN THIS SECTION, "CHRONIC VIOLATOR" MEANS A CHAUFFEUR FOR WHICH FOUR CITATIONS HAVE BEEN ISSUED DURING A PERIOD OF 12 CONSECUTIVE MONTHS, REGARDLESS OF WHETHER EACH OF THE FOUR CITATIONS CONCERNS THE SAME OR A DIFFERENT PROVISION OF THIS TITLE OR REGULATIONS ENACTED THEREUNDER. AS USED IN THIS SECTION, THE TERM "CITATION" MEANS A CIVIL CITATION ISSUED PURSUANT TO SECTION 11.10.090 WHICH HAS EITHER BEEN CONFIRMED ON APPEAL OR WAS NEVER APPEALED WITHIN THE TIME LIMIT IMPOSED BY LAW FOR SUCH AN APPEAL.

C. THE TRANSPORTATION INSPECTOR SHALL SERVE THE CHAUFFEUR WITH A WRITTEN ACCUSATION PURSUANT TO SECTION 3.60.025 WHICH NOTIFIES THE CHAUFFEUR THAT HE IS ACCUSED OF BEING A CHRONIC VIOLATOR. THE CHAUFFEUR SHALL BE PROVIDED WITH THE OPPORTUNITY FOR A HEARING PURSUANT TO CHAPTER 3.60 BEFORE ANY REVOCATION OCCURS. THE HEARING SHALL BE HELD BEFORE THE CHAIRMAN OF THE COMMISSION OR HIS DESIGNEE, AS PROVIDED BY SECTION 11.10.030. AT THE HEARING, THE TRANSPORTATION INSPECTOR SHALL HAVE THE BURDEN OF PROVING BY A PREPONDERANCE OF THE EVIDENCE THAT THE CHAUFFEUR IS A CHRONIC VIOLATOR.

- 1 D. IF THE CHAIRMAN OF THE COMMISSION OR HIS DESIGNEE, UNDER SECTION
2 11.10.030.D FINDS THE CHAUFFEUR TO BE A CHRONIC VIOLATOR, THAT
3 CHAUFFEUR'S LICENSE SHALL BE REVOKED UNLESS, AT THE HEARING
4 DESCRIBED IN SUBSECTION C OF THIS SECTION, THE CHAUFFEUR
5 DEMONSTRATES BY A PREPONDERANCE OF THE EVIDENCE THAT HE HAS
6 BEEN SUFFICIENTLY REHABILITATED AND IS IN THE FUTURE LIKELY TO
7 RESPONSIBLY COMPLY WITH THE REQUIREMENTS OF THIS TITLE AND
8 REGULATIONS ENACTED THEREUNDER. IF THE CHAUFFEUR MAKES SAID
9 DEMONSTRATION AT THE HEARING, THE CHAIRMAN OF THE COMMISSION
10 OR HIS DESIGNEE UNDER SECTION 11.10.030.D MAY IMPOSE REASONABLE
11 CONDITIONS UPON THE CHAUFFEUR'S EXERCISE OF THE CHAUFFEUR'S
12 LICENSE FOR THE DURATION OF THE TERM OF THAT CHAUFFEUR'S LICENSE.
13
- 14 E. IF THE CHAUFFEUR ACCUSED OF BEING A CHRONIC VIOLATOR DESIRES THE
15 HEARING DESCRIBED IN SUBSECTION C AND D OF THIS SECTION, THE
16 CHAUFFEUR SHALL DELIVER A WRITTEN REQUEST FOR A HEARING TO THE
17 TRANSPORTATION INSPECTOR WITHIN 15 DAYS OF THE DATE OF SERVICE
18 OF THE ACCUSATION. IF THE TRANSPORTATION INSPECTOR DOES NOT
19 RECEIVE A TIMELY HEARING REQUEST, THE TRANSPORTATION INSPECTOR
20 SHALL IMMEDIATELY REVOKE THE CHAUFFEUR'S LICENSE WITHOUT A
21 HEARING.]
22
23

24 **11.10.130 Penalties and remedies.**
25

- 26 A. The violation of any provision of chapters 11.50, Port of Anchorage, and 11.60, Municipal
27 Airports, or any municipal regulation promulgated pursuant thereto shall be an infraction,
28 and any person convicted of such a violation shall be subject to a fine of not more than
29 three hundred dollars (\$300.00).
30
- 31 D. In addition to any other remedy or penalty provided by this section, a person who violates
32 a provision of this title or a municipal regulation promulgated under this title shall be
33 subject to a civil penalty as set forth in section 14.60.030, or if no penalty is set forth in that
34 section, a civil penalty of not more than one thousand dollars (\$1,000.00) for each offense,
35 or injunctive relief to restrain the person from continuing the violation or threat of
36 violation, or both such civil penalty and injunctive relief. Upon application by the
37 M[M]unicipality for injunctive relief and a finding that a person is violating or threatening
38 to violate a provision of this title or a municipal regulation promulgated under this title, the
39 S[S]uperior C[C]ourt shall grant injunctive relief to restrain the violation.
40
- 41 C. Any violator of any provision of chapters 11.10 through 11.40 or a regulation promulgated
42 pursuant thereto, other than a violation by a permittee, shall be subject to a civil penalty for

such violations as follows:

1. *First violation:* A warning notice warning of additional and/or increased fines for subsequent violations in accordance with this subsection or a fine not to exceed one hundred dollars (\$100.00) or both, plus a warning of the consequences of further violations;
2. *Second violation:* [15-DAY] S[S]uspension of the violator's chauffeur's license for not to exceed 15 days or a fine not to exceed three hundred dollars (\$300.00) or both, plus a warning of the consequences of further violations;
3. *Third violation:* [30-DAY] S[S]uspension of the chauffeur's license for not to exceed 30 days or a fine not to exceed seven hundred fifty dollars (\$750.00) or both, plus a warning of the consequences of further violations;
4. *Fourth violation:* Any of the above penalties or R[R]evocation of the chauffeur's license. A person whose license is revoked under this subsection shall not be eligible to apply for a new chauffeur's license for a period of six months after the date a chauffeur's first license revocation becomes effective and for a period of two years after the date a chauffeur's second or subsequent [T]HE license revocation becomes effective.

Only violations occurring within the twelve (12) months immediately preceding the most recent citation shall be considered for purposes of this subsection.

- D. Each day during which a violation described in this section occurs shall constitute a separate offense. See #2 on Amendment Page.
- E. All civil penalties collected shall be dedicated to the operations of the T[T]ransportation I[I]nspection O[O]ffice.
- F. Fines shall be paid within thirty (30) days of service of the citation or within thirty (30) days after any appeal is denied. The previous sentence applies to fines levied before, on, and after the effective date of this ordinance. Failure to pay fines within the established times will result in immediate suspension of license until such time as the fine has been paid. The above requirement applies to chauffeurs, permittees and dispatch service licenses.

11.10.140 Renewal of permit or license.

- A. A permit or dispatch service license issued pursuant to chapters 11.10 through 11.40 of this

title, other than a vehicle for hire permit issued for a designated period of six (6) months or less by the applicant, shall be valid until December 31 immediately following the date of its original issue. Thereafter such a permit or dispatch service license shall be renewable for a term of one year, commencing on January 1. A chauffeur's license issued pursuant to chapter 11.30 shall be valid for two (2) years from the date of issuance. A temporary vehicle for hire permit issued for a designated period of six (6) months or less shall expire at the end of that period. A permit, dispatch service, or chauffeur's license shall expire automatically unless an application for its renewal is received by the T[T]ransportation I[I]nspector [AT LEAST 10 DAYS] before its expiration date.

- B. An application to renew a taxicab, limousine, or vehicle for hire permit or a chauffeur license shall be made to the T[T]ransportation I[I]nspector or C[C]ommission in the same manner as an original application and shall be treated in the same manner as an original application except that a chauffeur need not comply with subsections 11.30.020.B.2 and B.3.
- C. If a permittee, chauffeur, or dispatch service is no longer qualified to hold his or her taxicab, limousine, or vehicle for hire permit or license at the time of renewal, the T[T]ransportation I[I]nspector shall not renew the permit or license, and it shall lapse and become ineffective.
- D. Any person who has forfeited a license or taxicab, limousine, or vehicle for hire permit pursuant to section 11.10.110 may not apply for a new license or taxicab, limousine, or vehicle for hire permit for a period of one (1) year.
- E. An application to renew a taxicab, limousine, or vehicle for hire permit shall be accompanied by evidence the applicant maintains or participates in maintenance of a C[C]ommission-approved chauffeur training program pursuant to section 11.20.130.

11.10.150 Duty [OF LICENSE AND PERMIT HOLDERS] to maintain current application.

- A. A permittee, chauffeur, or dispatch service is under a continuing obligation to keep the information on his or her application current. Failure to do so shall be a violation of this title. A permittee, chauffeur, or licensee shall give written notice to the T[T]ransportation I[I]nspector of any change to be made on his or her application within ten (10) days, and the T[T]ransportation I[I]nspector shall amend the application accordingly.
- B. No person may knowingly make a false or misleading statement on his or her application for a permit or license under this title.

11.10.160 [LICENSE AND PERMIT] Fees.

A. The following fees shall be payable to the Municipality at the office of the Transportation Inspector:

1. Fifty dollars (\$50.00) [A FEE OF THIRTY-FIVE (\$35.00)] shall accompany any application for the transfer of a permit or license or to change the vehicle operated as a taxicab, limousine, or vehicle for hire or to change the dispatch service used by a taxicab.

2. [A FEE OF \$100.00 SHALL ACCOMPANY ANY APPLICATION OR ANNUAL RE-APPLICATION FOR PLACEMENT ON AN ELIGIBILITY LIST FOR NEW TAXICAB PERMITS TO BE ISSUED SUBSEQUENT TO ENACTMENT OF THIS SECTION. APPLICANTS SHALL BE LIMITED TO ELIGIBLE PERSONS AS DESCRIBED IN SECTION 11.20.020.

3.] [A FEE OF] Eight hundred twenty-five dollars (\$825.00) shall be paid for the issuance or annual renewal of a taxicab, limousine, limited taxicab, or vehicle for hire permit, except that the fee shall be reduced to four hundred and fifty dollars (\$450.00) when:

a. The original permit for a taxicab, limited taxicab, or limousine is issued after July 1; or

b. The original permit for a vehicle for hire is issued for any period of six (6) months or less, as designated by the applicant.

Taxicab permits shall originally be issued for the successful bid price pursuant to section 11.20.030.D and thereafter in accordance with this section.

3[4]. [A FEE OF] Two thousand five hundred dollars (\$2,500.00) shall be paid for the issuance or [OF] annual renewal of any dispatch license.

4[5]. Fifty dollars (\$50.00) [A FEE OF \$70.00] shall be paid for the issuance or biennial renewal of a chauffeur's license.

5[6]. [A FEE OF \$35.00] Thirty-five dollars (\$35.00) shall be paid for each appeal from a decision of the T[T]ransportation I[I]nspector to suspend, deny, or revoke an application for a chauffeur license. Such fee shall be refunded if ~~it is subsequently determined that the T[T]ransportation I[I]nspector exceeded his or her authority.~~ Inspector's decision was overturned by the hearing officer or the Commission.

- 1 6[7]. Five hundred dollars (\$500.00) [A FEE OF \$1,000.00] shall be paid for an annual
2 substitute vehicle use permit issued pursuant to Section 11.20.050.
3
4 7[8]. Ten dollars (\$10.00) [A FEE OF \$10.00] shall be paid each time the
5 T[T]ransportation I[I]nspector certifies and seals a taximeter unless such service is
6 performed in connection with a semiannual inspection conducted pursuant to
7 section 11.10.080.A or with a change of vehicle for an existing permit pursuant to
8 section 11.20.020.A.2.
9
10 8[9]. Ten dollars (\$10.00) shall be paid for taximeter reinspection should the semi-annual
11 or annual inspection fail.
12
13 9. [A FEE OF] \$100.00 shall be paid for the issuance of annual renewal of a permit
14 for a horse-drawn vehicle.
15
16 10. Ten dollars (\$10.00) shall be paid to replace a lost or stolen chauffeur, permittee,
17 or dispatch service license.
18

19 ~~All fees collected shall be dedicated to operation of the T[T]ransportation I[I]nspection O[O]ffice.~~
20

21
22 **11.10.170 Review and certification of application [FOR LICENSE OR PERMIT].**
23

- 24 A. Upon receipt of an application which meets the requirements of sections 11.20.020 or
25 11.40.020, the T[T]ransportation I[I]nspector shall determine whether the applicant is in
26 compliance with the specific laws or municipal regulations administered and enforced by
27 the following departments:
28
29 1. *Finance Department.* The chief fiscal officer or his or her designee shall determine
30 whether the applicant owes any taxes, assessments, judgments, or bills for
31 collection in connection with the business or activity for which a license is sought.
32 If no such obligations are outstanding, the chief fiscal officer shall so certify.
33
34 ~~2. *Utilities.* For dispatch permits, the manager for each municipal utility or his or her~~
35 ~~designee shall determine whether the applicant owes any unpaid utility bills to the~~
36 ~~M[M]unicipality in connection with the business or activity for which a license is~~
37 ~~sought. If no such utility bills are unpaid, the manager shall so certify.~~
38
39 B. Upon receipt of the proper certifications from all municipal departments required by law
40 to review the application, the T[T]ransportation I[I]nspector shall tender the application to
41 the C[C]ommission for approval or issue a chauffeur's license as this title may require.
42

C. Departments or officials requested to certify applications under this chapter shall complete their review within ten (10) days following the request by the Transportation Inspector.

11.10.180 **Compliance with AS 28.05.095(b) required.**

Every regulated vehicle shall comply with Alaska Statute 28.05.095(b) which regulates and requires child safety restraints.

Section 2: That AMC Chapter 11.20 is amended to read as follows:

Chapter 11.20

TAXICABS, LIMOUSINES AND VEHICLES FOR HIRE

Sections:

- 11.20.010 Taxicabs-Permit required.
- 11.20.015 [LIMOUSINE PERMIT REQUIRED.] [Repealed].
- 11.20.016 Taxicab permit types.
- 11.20.020 Taxicabs-Application for permit.
- 11.20.030 Taxicabs-Issuance of permit.
- 11.20.035 Taxicabs-Limited permits.
- 11.20.037 Non-transferrable taxicab permits.
- 11.20.040 Taxicabs-Transfer of permit.
- 11.20.050 Taxicabs-Vehicle to be designated on permit application; substitute vehicle.
- 11.20.060 Taxicabs-Subscription to dispatch service.
- 11.20.070 Taxicabs-Vehicle markings.
- 11.20.080 Taxicabs-Required equipment.
- 11.20.090 Taxicabs-Certification and sealing of equipment.
- 11.20.100 Taxicabs-Insurance required.
- 11.20.110 Posting of insurance notice.
- 11.20.120 Taxicabs-Records of service.
- 11.20.130 Chauffeur training.
- 11.20.140 Single use of vehicles [USE OF VEHICLE FOR MORE THAN SERVICE].
- 11.20.200 Limousine-Permit required.
- 11.20.210 Limousines-Application for permit.
- 11.20.220 Limousines-Transfer of permit.
- 11.20.240 Limousines-Insurance required.
- 11.20.250 Limousines-Records of service.
- 11.20.245 Limousines-Internal policies required.
- 11.20.260 Limousines-Service [LIMOUSINES-RESERVATION REQUIRED;
ALTERNATIVE HOURLY CHARGE].
- 11.20.270 Limousines-Business office and reservation service.

- 1 11.20.300 Vehicles for hire-Permit required; transfer.
- 2 11.20.310 Vehicles for hire-Application for permit.
- 3 11.20.320 Vehicle for hire-Vehicle markings.
- 4 11.20.330 Vehicles for hire-Equipment.
- 5 11.20.340 Vehicles for hire-Curb side and immediate service prohibited.
- 6 11.20.350 Vehicles for hire-Number of vehicles used per permit [VEHICLE TO BE
- 7 DESIGNATED ON PERMIT APPLICATION; SUBSTITUTE VEHICLES].
- 8 11.20.360 Vehicles for hire-Insurance required.
- 9 11.20.365 Vehicles for hire-Internal policies required.
- 10 11.20.370 Vehicles for hire-Records of service.
- 11 11.20.400 Horse-drawn vehicle permit required [REPEALED].
- 12 11.20.410 Horse-drawn vehicle permit application [REPEALED].
- 13 11.20.420 Substitute horse-drawn vehicle [REPEALED].
- 14 11.20.430 Insurance required [REPEALED].

17 11.20.010 Taxicabs - permit required.

- 18
- 19 A. No person may provide taxicab service as provided by this title unless that person:
- 20
- 21 1. Is a permittee in possession of a valid taxicab permit issued to him under this
- 22 chapter; or
- 23
- 24 2. Has entered into an agreement with a permittee which allows that person to provide
- 25 taxicab services pursuant to the permittee's authority, such person being
- 26 commonly known as a "lease operator." A copy of the lease agreement shall be
- 27 filed with the Transportation Inspector. Lease operators are responsible for
- 28 complying with sections 11.20.050 - 11.20.120 and section 11.10.080.
- 29
- 30 B. No permittee shall allow another person to provide taxicab service under the authority of
- 31 his or her permit except as allowed in subsection A of this section.
- 32
- 33 C. Except as provided in section 11.20.050.B, no person may operate or dispatch a vehicle as
- 34 a taxicab unless that vehicle is described on a taxicab permit as provided in subsection A
- 35 of this section.
- 36
- 37 D. No person may provide taxicab service pursuant to a taxicab permit except in accordance
- 38 with this title. No person may provide taxicab service pursuant to a limited taxicab permit
- 39 except in accordance with this title and all conditions established by the C[C]ommission
- 40 for that limited taxicab permit under section 11.20.035.
- 41
- 42 E. [NO PERSON MAY PROVIDE SHARED RIDE SERVICE PURSUANT TO A

TAXICAB PERMIT OR A LIMITED TAXICAB PERMIT EXCEPT IN ACCORDANCE WITH MUNICIPAL LAWS.] The permittee shall utilize as chauffeurs only currently licensed chauffeurs who have satisfactorily completed a Commission approved driver training and testing program.

11.20.015 Limousine permit required. [REPEALED].

11.20.016 Taxicab permit types.

The following taxicab permit types exist:

- A. Transferable general taxicab permits originally issued prior to February 22, 1994.
- B. Limited taxicab permits issued pursuant to AMC 11.20.035; and
- C. Non-transferable taxicab permits issued pursuant to AMC 11.20.037.

11.20.020 Taxicabs-Application for Permit.

- A. An application for a taxicab permit shall be made to the T[T]ransportation I[I]nspector. The T[T]ransportation I[I]nspector shall refuse to accept any application unless it pertains to a limited permit or non-transferable permit. [:

- 1. TRANSFER OF AN EXISTING PERMIT;
- 2. A CHANGE OF THE VEHICLE OR DISPATCH SERVICE FOR AN EXISTING PERMIT;
- 3. A PERMIT ISSUED PRIOR TO ENACTMENT OF THIS AO NO. 93-220 FOR WHICH THE APPLICANT HAS BEEN DECLARED THE HIGHEST BIDDER AT AN AUCTION CONDUCTED PURSUANT TO SECTION 11.20.030; OR
- 4. A NEW PERMIT ISSUED SUBSEQUENT TO ENACTMENT OF THIS SECTION FOR WHICH THE APPLICANT IS IN COMPLIANCE WITH SUBSECTIONS B THROUGH F OF THIS SECTION, AND FOR WHICH THE APPLICANT HAS BEEN DECLARED AS HIGHEST BIDDER PURSUANT TO SECTION 11.20.030.D AND SUBJECT TO THE CONDITIONS OF SECTION 11.20.040.]

- B. An application for a taxicab permit shall be submitted on a form approved by the

T[T]ransportation I[I]nspector and shall be accompanied by:

1. The fee specified in section 11.10.160; [.]
2. Proof of insurance for the vehicle as required by this title; [.]
3. A complete list of the name, address, and telephone number of every person who shall have a financial, [OR] proprietary, or security interest in the permit;[.]
4. Proof that the applicant is at least ^{eighteen (18)}~~fourteen (14)~~ ~~twenty-one (21)~~ years of age; [.]
5. Proof that the applicant maintains or participates in maintenance of a C[C]ommission-approved chauffeur training and testing program pursuant to section 11.20.130.

i. Chauffeur training and testing shall be based upon a C[C]ommission-approved curriculum as described in section 11.30.020.C, and shall be offered in a manner and frequency as annually approved by the C[C]ommission.

ii. The T[T]ransportation I[I]nspector shall regularly make available a M[M]unicipal site and appropriate M[M]unicipal resources and personnel, at no cost to permittees [HOLDERS], to facilitate accomplishment of a successful training and testing program. All other chauffeur training and testing costs, other than an A[A]ssembly-approved training and testing fee assigned to chauffeur applicants, shall be borne by the permittee(s) [HOLDER].

[III. THE PERMIT APPLICANT SHALL UTILIZE AS CHAUFFEURS ONLY PROPERLY LICENSED CHAUFFEURS WHO HAVE SATISFACTORILY COMPLETED A COMMISSION-APPROVED DRIVER TRAINING AND TESTING PROGRAM.]

6. Proof that the applicant is in compliance with a C[C]ommission-approved drug and alcohol testing program as described in AMC 11.10.085.A.1.

C. [THE TRANSPORTATION INSPECTOR SHALL MAINTAIN AN ANNUALLY UPDATED LIST OF ALL TAXICAB PERMIT APPLICANTS SEEKING A NEW PERMIT SUBSEQUENT TO AUGUST 22, 1994, AND COMPLYING WITH SUBSECTIONS A THROUGH D OF THIS SECTION.

D.) Issuance and annual renewal of non-transferable permits. Applicants [AND RE-APPLICANTS] for new non-transferable general taxicab permits will be limited to:

1. Currently active [MUNICIPAL] chauffeurs licensed under this title with no fewer than two (2) years of experience as local taxicab, limousine, or vehicle-for-hire operators. Applicants otherwise eligible but who have had their chauffeur's license revoked [ARE DETERMINED BY THE TRANSPORTATION INSPECTOR TO HAVE BEEN IN VIOLATION OF SECTION 11.10.110.A OR OF SECTION 11.10.170 OR OF SECTION 11.10.120] in the preceding two (2) years shall not be eligible [ADDED TO THE APPLICANT LIST].
2. Applicants who have not had a felony or misdemeanor conviction entered by a court of competent jurisdiction within five (5) years of:
 - a. Assignment, prostitution, solicitation for the purpose of prostitution, offering to secure another for the purpose of prostitution, maintaining a vehicle for the purpose of prostitution, or accepting money from a prostitute; or [.]
 - b. Sale, transportation, possession or use of any controlled substance as defined in AS 11.71 or a similar law of another jurisdiction.

For purposes of this subsection, a "currently active chauffeur" is a chauffeur currently licensed by the Anchorage T[T]ransportation C[C]ommission in good standing with the C[C]ommission and in compliance with section 11.10.110.A and section 11.10.170.A [AND SECTION 11.10.120.], who annually chauffeurs a vehicle operating under a T[T]ransportation C[C]ommission permit no fewer than five hundred (500) hours per year.

E. [APPLICANTS SEEKING A NEW TAXICAB PERMIT SUBSEQUENT TO AUGUST 22, 1994 MUST REAPPLY ANNUALLY TO MAINTAIN THEIR POSITION ON THE LISTS OF TAXICAB PERMIT APPLICANTS.

F.] If the C[C]ommission decides to issue an additional permit or permits in accordance with sections 11.20.030, 11.20.035, or 11.20.037, a taxicab permit may be issued by the C[C]ommission if the applicant complies with subsections B through D [E], and is certified as required by section 11.10.170.

11.20.030 Taxicabs-Issuance of permits.

A. The total number of each type of outstanding taxicab permits shall be determined by the public convenience and necessity. Any person or any member of the C[C]ommission may initiate C[C]ommission inquiry into the public convenience and necessity for issuance of additional permits. Hearings regarding public convenience and necessity shall be held

pursuant to Chapter 3.60 to determine if the public convenience and necessity warrants issuance of one or more additional limited and non-transferable permits. The C[C]ommission shall hold an inquiry into the public convenience and necessity [NO LESS FREQUENTLY THAN] at least once in a twenty-four (24) month period.

B. At the hearing conducted pursuant to subsection A of this section, the C[C]ommission may consider, among other things, evidence of:

1. The public demand for additional taxi service, whether limited or non-transferable;
2. The unfulfilled requests for service;
3. The reasonableness of waiting time for service; [AND]
4. The economic impact of additional permits on the viability of the existing taxicab industry[.]; and
5. The type of permit which would meet the demand for additional service.

C. If the C[C]ommission finds by a preponderance of the evidence presented at the hearing that the public convenience and necessity would be best served by the issuance of one or more additional limited or non-transferable taxicab permits of any type, such taxicab permit or permits shall be issued in the manner provided in subsection D of this section. If the Commission determines that consideration of a specific type of limited permit is appropriate, an additional public hearing thereon shall be held following public notice setting forth the specific type of limited permit under consideration.

D. No later than ninety (90) days after the C[C]ommission determines that a new taxicab permit should be issued, the T[T]ransportation I[I]nspector shall conduct a public auction as follows:

1. The auction shall be conducted by sealed bid, and the permit shall be issued to the highest qualified bidder.
2. To be responsive, a bid must equal or exceed the taxi permit issuance fee stated in section 11.10.160.
3. As used in this section, "qualified bidder" means a person who meets the requirements of section 11.20.020, meets the requirements for the type of permit to be issued, and tenders the successful full bid price in cash within five (5) days after notice that he or she is the highest bidder.

4. If the highest bidder is not a qualified bidder, the permit shall be issued to the next highest bidder who is also a qualified bidder. If none of the bidders are also qualified bidders, the T[T]ransportation I[I]nspector shall again offer the permit at auction as provided by this section within one hundred eighty (180) days after the previous auction.

~~5. All proceeds of each auction conducted under this subsection shall be dedicated to the operation of the T[T]ransportation I[I]nspection O[O]ffice.~~

E. No person may apply for a hearing pursuant to subsection 11.20.030 A of this section within one hundred twenty (120) days after one or more new permits authorized for issuance pursuant to this section have been actually issued. The C[C]ommission may consolidate multiple hearing requests if it deems it appropriate to do so.

11.20.035 Taxicabs-Limited permits.

A. The [ANCHORAGE] T[T]ransportation C[C]ommission may issue limited taxicab permits pursuant to which a taxicab may be operated for specific time periods and/or only within a specific geographic area upon such terms and conditions as the C[C]ommission may determine best serve the public convenience and necessity. In evaluating the factors for public convenience and necessity under section 11.20.030.B t[T]he C[C]ommission shall consider the following items which relate to the need for limited permits: [WILL INCLUDE IN ITS DETERMINATION] demographic changes in M[M]unicipal-wide resident population since the last issuance of new permits; changes in resident populations, traffic patterns, or public transit services in specific regions of the M[M]unicipality; the demographic and transportation impact of visitors and changes in that impact since the last issuance of new permits; and the public interest and convenience that may be served by issuance of limited permits providing varied levels or kinds of public transportation service.

B. [LIMITED TAXICAB PERMITS MAY BE ISSUED BY THE COMMISSION IF IT FINDS FOLLOWING AN INQUIRY INTO THE PUBLIC CONVENIENCE AND NECESSITY THAT THE PUBLIC CONVENIENCE AND NECESSITY WILL BE SERVED BY ISSUANCE OF ONE OR MORE LIMITED PERMITS.]

C.] If the C[C]ommission determines by a preponderance of the evidence presented at the hearing that the public convenience and necessity would be best served by the issuance of one or more limited taxicab permits, such limited taxicab permit or permits shall be issued under procedures set out in section 11.20.030 to any applicant who meets the C[C]ommission criteria established for the limited use permit, the criteria pursuant to section 11.20.050, and the related criteria pursuant to section 11.20.070. through 11.20.140. Limited use permittees [HOLDERS] may join existing dispatch services at a rate to be

determined by the dispatch service. Alternatively, limited permittees [HOLDERS] may establish their own dispatch services at an annual dispatch license fee of two hundred fifty dollars (\$250) per vehicle for one (1) through nine (9) vehicles. [SUCH LIMITED PERMIT DISPATCH MAY, AT THE OPTION OF THE PERMIT HOLDER(S) BE COORDINATED THROUGH USE OF ANSWERING SERVICES IN COMBINATION WITH CELLULAR TELEPHONES RATHER THAN THROUGH FCC-LICENSED RADIO SERVICES.] All dispatching mandates of section 11.20.060, including the logging and submittal of complaint and citation information, apply to limited dispatching services.

C[D]. Notwithstanding the provisions of section 11.20.040, a permit issued pursuant to this section shall not be transferable through sale, lease, rental, or any other manner of conveyance. Before issuing a limited taxicab permit, the Commission shall set a date for termination of the permit.

D[E]. Issuance and annual renewal of limited taxicab permits shall be restricted to licensed chauffeurs who are both owners and operators of the taxicab operating under the limited permit. For purposes of this section, a limited permit owner operator is an individual person permittee [HOLDER] (1) whose permitted vehicle is registered to and insured by the permittee [HOLDER], and (2) who annually operates the permitted vehicle as chauffeur, dispatcher, or direct manager of the permitted service no fewer than 500 hours per year or 25 percent of the annual period for which the permit is granted, whichever is less. Failure to meet this criteria shall result in revocation and denial of permit renewal following the procedures in Section 11.10.110.

E[F]. Permittees with limited permits are subject to all revocation, suspension, and penalty conditions described in Chapters 11.20 and 11.30.

11.20.037 Non-transferable permits.

A. The Commission may issue non-transferable taxicab permits pursuant to which a taxicab may be operated throughout the Municipality by an owner-operator.

B. In its evaluation of public convenience and necessity under section 11.20.030, non-transferable permits shall be preferred over limited permits if the Commission determines that, based upon the evidence presented, (1) owner-operator permits will better serve the standards for service set forth in this title; and (2) a limited taxicab permit will not be sufficient to satisfy the need for service.

C. Notwithstanding the provisions of section 11.20.040, a permit issued pursuant to this section shall not be transferable through sale, lease, rental, or any other manner of

conveyance.

D. Issuance and annual renewal of non-transferable taxicab permits shall be restricted to licensed chauffeurs who are both owners and operators of the taxicab operating under the limited permit. For purposes of this section a non-transferable permit owner operator is an individual person (1) whose permitted vehicle is registered to and insured by the permittee, and (2) who annually operates the permitted vehicle as chauffeur, dispatcher, or direct manager of the permitted service no fewer than 1,000 hours per year or 50% of the annual period for which the permit is granted, whichever is less. Failure to meet this criteria shall result in revocation and denial of permit renewal following the procedures in section 11.10.110.

E. Permittees with non-transferable permits are subject to all revocation, suspension, and penalty conditions described in chapters 11.10 through 11.40.

11.20.040 Taxicabs- Transfer of permit.

A. No person may transfer any financial, [OR] proprietary, or security interest in a taxicab permit or any interest in the corporation, joint venture, association, partnership, or other group or entity which owns an interest in a taxicab permit originally issued prior to February 22, 1994, unless that person obtains the prior approval of the C[C]ommission.

B. New permits issued subsequent to February 22, 1994, shall not be transferrable, but non-transferrable and limited permits shall revert to the C[C]ommission when the permittee [HOLDER] is determined by the T[T]ransportation I[I]nspector or by the annual permit renewal process to no longer be a currently active taxicab chauffeur as required [CALLED FOR] in section 11.20.020.D.

C. Regardless of the date, terms, or purpose of transfer of a taxi permit, any violations, complaints, citations, or other actions to a permit which could be considered by the [TRANSPORTATION] C[C]ommission under section 11.10.110 [11.10.100] in determining whether to suspend or revoke a license or permit, shall be treated by the [TRANSPORTATION] C[C]ommission as applying to that permit as if the permit had not been transferred.

D. Only a taxicab permittee possessing a transferable general taxicab permit originally issued prior to February 22, 1994, can transfer his or her interest in a taxicab permit to another. An application for transfer shall be made to the T[T]ransportation I[I]nspector on forms approved by the T[T]ransportation I[I]nspector and shall be accompanied by a proposed contract of sale which states the specific consideration to be paid by the transferee, as well as all other material conditions of the sale. If the transferee meets the requirements of this section and those of section 11.20.020 for the issuance of a permit, the C[C]ommission

shall approve the transfer. A dispute arising from an underlying contract of sale is not grounds to refuse the [UPON WHICH THE COMMISSION CAN REFUSE TO] transfer of a taxicab permit. The application for transfer shall identify all parties who have or are proposed to have either a financial, proprietary, or security interest in the permit.

11.20.050 Taxicabs-[VEHICLE TO BE DESIGNATED ON PERMIT APPLICATION; SUBSTITUTE VEHICLES]Number of vehicles operated per permit.

A. Except as otherwise provided in this section, only one vehicle, which shall be designated on the taxicab permit application, may be operated pursuant to that permit.

9. Upon application to the Transportation Inspector, payment of the appropriate annual fee, and a demonstration of need, operation of a substitute vehicle shall be authorized for a period of time not to exceed 14 consecutive days. Using a Notice of Substitution Form approved by the Transportation Inspector, the Transportation Inspector shall be notified prior to substitution [IMMEDIATELY] of the date, time, and substitute vehicle being placed in service, the permit number utilizing the substitute vehicle, the reason for the use of the substitute vehicle and the signature of the person authorizing the use of the substitute vehicle. Using a Notice of Substitution Form, the Transportation Inspector shall be immediately notified of the date and time the substitute vehicle is removed from service and the regular permitted vehicle is placed back in service. No person may operate a substitute vehicle under this section unless the notice of substitution has been forwarded to the Transportation Inspector and a copy carried in the substitute vehicle at all times. A chauffeur of a taxicab shall present the Notice of Substitution Form upon request of a police officer, Transportation Inspector, or code enforcement officer. The use of a substitute vehicle in place of a disabled vehicle operated under one taxicab permit shall not preclude use of the same substitute vehicle in place of a disabled vehicle operated under a different taxicab permit, where such use occurs a later time, based upon issuance of a new Notice of Substitution Form. The substitute vehicle will be identified with the letter "S" followed by permit number of regular taxicab pursuant to section 11.20.070. [UPON APPLICATION TO THE TRANSPORTATION INSPECTOR, PAYMENT OF THE APPROPRIATE ANNUAL FEE, AND A DEMONSTRATION OF NEED, OPERATION OF A SUBSTITUTE VEHICLE SHALL BE AUTHORIZED FOR A PERIOD OF TIME NOT TO EXCEED 14 CONSECUTIVE DAYS, AND THE TRANSPORTATION INSPECTOR SHALL ISSUE A NOTICE OF SUBSTITUTION. NO PERSON MAY OPERATE A SUBSTITUTE VEHICLE UNDER THIS SECTION UNLESS THE NOTICE OF SUBSTITUTION IS CARRIED IN THAT VEHICLE AT ALL TIMES. AN OPERATOR OF A TAXICAB SHALL DISPLAY THE NOTICE OF SUBSTITUTION UPON REQUEST TO A POLICE OFFICER OR THE TRANSPORTATION INSPECTOR]. Use of a substitute vehicle in place of a disabled vehicle operating under one taxicab permit shall not preclude use of the same substitute vehicle in place of a

disabled vehicle operated under a different taxicab permit, where such use occurs at a later time, based upon issuance of a separate Notice of Substitution.

- C. The Transportation Inspector will determine if the use of the substitute vehicle was occasioned by a mechanical problem or vehicle accident affecting the safe operation of the regular vehicle. If such mechanical problem or vehicle accident required the use of the substitute vehicle, the Transportation Inspector may require an inspection of the regular vehicle before it is returned to service.

11.20.060 Taxicabs-Subscription to dispatch service.

Every taxicab permittee shall subscribe to a dispatch service and with a permit [LICENSED] pursuant to chapter 11.40 for the taxicab operated under his or her permit. No taxicab may be dispatched by more than one dispatch service.

11.20.070 Taxicabs—Vehicle markings.

- A. Every taxicab shall bear the trade name under which it is operated on each side of the taxicab with permanent letters no less than four inches high.
- B. Every taxicab shall bear its vehicle number, as assigned to it by the Transportation Inspector, on all sides of the taxicab with permanent letters no less than four inches high. Taxicab markings will be clearly visible on surfaces that are approximately perpendicular to the road surface.
- C. Except as otherwise provided by law, no taxicab may be used or sold for any purpose other than for use as a taxicab until all signs, insignia, lights or other markings have been removed or an "out of service" sign is posted on the taxicab in the form and manner designated by the Transportation Inspector. license plates,
- D. Every taxicab shall bear the markings adopted by its dispatch service. See #3 on Amendment Page.
- E. ~~Notwithstanding any other provision of this section, a taxicab may be used for shared ride service in accordance with this title so long as the vehicle is clearly marked on both exterior sides in the manner prescribed by the Transportation Inspector.~~
- F. Each owner shall display on his or her taxicab(s) a decal stating "Driver does not carry more than \$20 in change." This decal shall be prominently displayed on the exterior and the interior of each taxicab. A chauffeur may not be cited for a violation of this Code based on the amount of change the chauffeur is carrying.

11.20.080 Taxicabs—Required equipment.

- A. Every taxicab shall be equipped with an operable two-way radio that receives and transmits a signal only on the frequency used by that taxicab's dispatch service. At no time may a taxicab be equipped with an apparatus capable of monitoring a frequency used by a dispatch service other than that used by that taxicab's dispatch service. The radio of each taxicab shall be identifiable through the dispatch company through which the taxicab is dispatched.
- B. Every taxicab shall be equipped at all times with an interior light of not less than two candlepower arranged so as to illuminate the entire passenger compartment. The light shall be illuminated whenever passengers are being loaded or unloaded from the taxicab between one-half hour after sunset of one day and one-half hour before sunrise the next day. No shades or blinds shall be drawn over any windows of the taxicab while occupied by a passenger.
- C. Every taxicab shall be equipped with a nonflashing light on the exterior of the roof of a type approved by the T[T]ransportation I[I]nspector. The light shall be illuminated only when the taxicab is not occupied by a paying passenger/or when proceeding to a dispatch directed location for passenger pick up.
- D. Every taxicab shall be equipped with a taximeter unless that taxicab is used exclusively at all times for shared ride taxicab service and is never used for another type of taxicab service.
- E. Every taxicab shall be equipped with a silent electronic alarm system in conjunction with the radio between the taxicab and dispatch company. The electronic alarm system shall be chauffeur-activated by a foot switch or other means approved by the T[T]ransportation I[I]nspector. A radio capable of being activated by a foot switch or other means approved by the T[T]ransportation I[I]nspector shall qualify as a silent electronic alarm system under this section. The owner of the taxicab shall be responsible for installing such electronic alarm system.
- F. Every taxicab shall be equipped at all times with one or more of the following three items: a safety shield; a surveillance system; or global positioning system capability. The owner of the taxicab shall acquire and cause to be installed one or more of the three items identified in the previous sentence.
 1. The safety shield shall be installed between the front compartment in which the chauffeur sits and the rear compartment or second seat. Each safety shield shall meet the standards established by the Federal Bureau of Investigation for "Level Two" protection against medium-power small arms.

2. The surveillance system shall have the capability to operate 24 hours a day and be compatible with any safety shield for surveillance during both daytime and nighttime. The surveillance system shall either have continuous operation or be activated by the opening of a door, the starting of the taxicab meter, or some other self-initiating device which does not require the specific decision or action by the chauffeur to activate the surveillance system. The system shall be based on either a low-light or infrared light source capable of producing high-quality pictures of suspects for law enforcement use.
3. The global positioning system capability of any taxicab shall either have continuous operation or be activated by a self-initiating device which does not require the specific decision or action by the chauffeur to activate the global positioning system. The global positioning system must be capable of alerting the monitoring station of emergencies. The dispatch company will be the monitoring station for a global positioning system.

11.20.090 Taxicabs-Certification and sealing of equipment.

A. Except as provided in subsection B of this section, no taxicab may be operated unless the following equipment is currently certified and sealed by the Division of Measurement Standards [SECTION OF WEIGHTS AND MEASURES], or the T[T]ransportation I[I]nspector, who shall serve as a city sealer pursuant to AS 45.75.160:

1. The taximeter.
2. The transmission assembly, if pertinent.
3. The differential assembly.
4. The wheels or tires whenever the size of either has been changed since the most recent certification.

B. A taxicab carrying unsealed or uncertified equipment which is required to be sealed and certified by subsection A of this section may be operated without violating this section if a temporary operating permit has been obtained from the Division of Measurement Standards [SECTION OF WEIGHTS AND MEASURES], or the T[T]ransportation I[I]nspector, who shall serve as a city sealer pursuant to AS 45.75.160. The temporary operating permit shall be kept in the taxicab during the time in which it is to be effective and shall be displayed upon request to the T[T]ransportation I[I]nspector or a police officer.

11.20.100 Taxicabs-Insurance required.

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- A. Before any permit is issued for any taxicab, the applicant shall furnish one or more policies or certificates of liability insurance issued by an insurance company that is an authorized insurer within the meaning of AS 21.90.900(5).
- B. The insurance required by this section for vehicles with a manufacturer's rated seating capacity (or, if a mini-van, the seating capacity after seat removal to accommodate baggage) of six persons or less shall provide coverage as follows:
1. Combined single limit for all bodily injury or property damage arising from one accident: \$300,000.00; and
 2. For all persons injured or dead in any one accident caused by an uninsured motorist: \$100,000.00.
- C. The insurance required by this section for vehicles with a manufacturer's rated seating capacity (or, if a mini-van, the seating capacity after seat removal to accommodate baggage), of seven persons or more shall provide coverage as follows:
1. Combined single limit for all bodily injury or property damage arising from one accident: \$700,000.00; and
 2. For all persons injured or dead in any one accident caused by an uninsured motorist: \$100,000.00.
- D. The policy or policies of liability insurance shall be approved as to substance and form by the risk manager for the M[M]unicipality and filed with the T[T]ransportation I[I]nspector. Insurance policies shall be issued for periods of not less than one year.
- E. Every insurance policy or certificate shall contain a clause obligating the insurer or surety to give the T[T]ransportation I[I]nspector written notice no less than 30 days before the cancellation, expiration, non-renewal, lapse, or other termination of such insurance. A lapse, cancellation, expiration, non-renewal, or termination of insurance coverage shall work an automatic suspension of any permit for so long as the permittee is without insurance as required by this section, and it shall be a violation of this chapter to provide taxicab service with a vehicle not insured as required by this section. The insurance policy shall list as a certificate holder:

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Municipality of Anchorage
Transportation Inspection Division
P.O. Box 196650
Anchorage, Alaska 99519

11.20.110 Posting of insurance [NOTICE].

The T[T]ransportation I[I]nspector shall designate a place in the interior of all vehicles regulated by this title [TAXICABS, LIMOUSINES AND VEHICLES FOR HIRE] for the posting of a notice stating "This vehicle is insured according to Municipal ordinances." [INSURANCE LIABILITY LIMITS AND APPLICABILITY.] No person may provide services with a regulated vehicle [TAXICAB, LIMOUSINE OR VEHICLE FOR HIRE SERVICE WITH A VEHICLE] unless this notice is properly posted therein.

11.20.120 Taxicabs-Records of Service.

A. Every taxicab permittee shall ensure the maintenance of [MAINTAIN] a current and accurate daily list for the taxicab operated pursuant to his or her permit of:

1. The name, address, telephone number, license number, and expiration date for each chauffeur operating such taxicab and whether the chauffeur's working hours comply with AMC 11.30.060;[.]
2. The dates of hire and termination for each chauffeur operating such taxicab; [.]
3. The daily hours worked by each chauffeur operating such taxicab; [.]
4. The number of daily hours each such taxicab is operated during each calendar month; and [.]
5. The time and place of passenger pickup and delivery, the number of passengers, the amount of fare received, the time of the call for service and the name and license number of the chauffeur responding to that call. This information shall be provided for taxicabs on [THAT DOCUMENT COMMONLY KNOWN AS] a "trip sheet."

B. A taxicab permittee may designate an agent to provide the records required by this section so long as:

1. Such agent is a resident of Alaska [THE STATE]; and
2. The taxicab permittee executes an [NOTARIZED] agreement establishing the agency relationship. The agreement shall be on a form provided by the T[T]ransportation I[I]nspector [AND] with signatures notarized, and shall be filed with the T[T]ransportation I[I]nspector.

- 1 C. The records maintained pursuant to subsection A of this section as well as any other records
2 related to the operation of the permit shall be retained by the taxicab permittee for at least
3 two years and shall be made available upon request of the [COMMISSION, THE]
4 T[T]ransportation I[I]nspector or a police officer. The T[T]ransportation I[I]nspector may
5 request that the taxicab permittee forward the record to him or her on a monthly basis.
6

7
8 **11.20.130** **Chauffeur training.**
9

10 Every regulated vehicle [TAXICAB, LIMOUSINE AND VEHICLE-FOR-HIRE] permittee
11 [HOLDER] shall maintain or participate in maintenance of a chauffeur training and testing program
12 approved by the [ANCHORAGE TRANSPORTATION] C[C]ommission, providing training as
13 described in section 11.30.020.C. The C[C]ommission shall have final authority for evaluation of
14 the training and testing programs, but may delegate that authority. [AND] T[T]he
15 T[T]ransportation I[I]nspector shall evaluate test results to determine whether a chauffeur's license
16 shall be issued pursuant to section 11.30.020.C.
17

18
19 **11.20.140** **Single use of vehicle** [USE OF VEHICLE FOR MORE THAN ONE SERVICE].
20

- 21 A. [A PARTICULAR VEHICLE DESCRIBED ON A TAXICAB PERMIT AND MAY BE
22 USED FOR EITHER SHARED RIDE OR EXCLUSIVE TAXICAB SERVICE SO LONG
23 AS ONLY ONE OF THOSE SERVICES IS OFFERED BY THAT VEHICLE AT ANY
24 ONE TIME.] A particular vehicle described on a limited taxicab permit may be so used
25 only in accordance with the terms of the applicable limited taxicab permit.
26
27 B. [EXCEPT AS PROVIDED IN SUBSECTION A OF THIS SECTION.] A[A] particular
28 vehicle may be described on only one permit issued pursuant to this title. It shall be
29 unlawful to use that vehicle for any other transportation service regulated by this title other
30 than the service which is authorized by that permit.
31

32
33 **11.20.200** **Limousines-Permit required.**
34

- 35 A. No person may provide limousine service as provided by this title unless that person is in
36 possession of a valid limousine permit issued to him or her pursuant to this chapter.
37
38 B. Except as provided in chapter 11.20.050.B, no person may operate or otherwise offer a
39 vehicle for use as a limousine unless that vehicle is described on a permit authorizing such
40 service and issued pursuant to this chapter.
41
42

11.20.210 Limousines-Application for permit.

An application for a limousine permit shall be granted by the C[C]ommission if the applicant complies with section 11.20.020.B and is certified as required by section 11.10.170.

11.20.220 Limousines-Permit nontransferable [LIMOUSINES-TRANSFER OF PERMIT].

Limousine permits are not transferable under any circumstances.

11.20.240 Limousines-Insurance required.

- A. Before any permit is issued for a limousine, the applicant shall furnish one or more policies or certificates of liability insurance issued by an insurance company that is an authorized insurer within the meaning of AS 21.90.900(5).
- B. The insurance required by this section shall be subject to the same requirements as for taxicabs under chapter 11.20.100. B-E [FOR VEHICLES WITH A MANUFACTURER'S RATED SEATING CAPACITY OF SIX PERSONS OR LESS SHALL PROVIDE COVERAGE AS FOLLOWS:
 1. COMBINED SINGLE LIMIT FOR ALL BODILY INJURY OR PROPERTY DAMAGE ARISING FROM ONE ACCIDENT: \$300,000.00; AND
 2. FOR ALL PERSONS INJURED OR DEAD IN ANY ONE ACCIDENT CAUSED BY AN UNINSURED MOTORIST: \$100,000.00
- C. THE INSURANCE REQUIRED BY THIS SECTION FOR VEHICLES WITH A MANUFACTURER'S RATED SEATING CAPACITY OF SEVEN PERSONS OR MORE SHALL PROVIDE COVERAGE AS FOLLOWS:
 1. COMBINED SINGLE LIMIT FOR ALL BODILY INJURY OR PROPERTY DAMAGE ARISING FROM ONE ACCIDENT: \$700,000.00; AND
 2. FOR ALL PERSONS INJURED OR DEAD IN ANY ONE ACCIDENT CAUSED BY AN UNINSURED MOTORIST: \$100,000.00
- D. THE POLICY OR POLICIES OF LIABILITY INSURANCE SHALL BE APPROVED AS TO SUBSTANCE AND FORM BY THE RISK MANAGER FOR THE MUNICIPALITY AND FILED WITH THE TRANSPORTATION INSPECTOR.
- E. EVERY INSURANCE POLICY OR CERTIFICATE SHALL CONTAIN A CLAUSE

OBLIGATING THE INSURER OR SURETY TO GIVE THE TRANSPORTATION INSPECTOR WRITTEN NOTICE NOT LESS THAN 30 DAYS BEFORE THE CANCELLATION, EXPIRATION, NON-RENEWAL, LAPSE OR OTHER TERMINATION OR MODIFICATION OF SUCH INSURANCE. A LAPSE, CANCELLATION, EXPIRATION, NON-RENEWAL TERMINATION, OR MODIFICATION OF INSURANCE COVERAGE SHALL WORK AN AUTOMATIC SUSPENSION OF ANY PERMIT FOR SO LONG AS THE PERMITTEE IS WITHOUT INSURANCE AS REQUIRED BY THIS SECTION. IT SHALL BE A VIOLATION OF THIS CHAPTER TO PROVIDE LIMOUSINE SERVICE WITH A VEHICLE NOT INSURED AS REQUIRED BY THIS SECTION].

11.20.245 Limousines-Internal policies required.

A limousine permittee shall establish a set of written internal policies provided to all chauffeurs and forward those internal policies to the Transportation Inspector.

11.20.250 Limousine-Records of service.

- A. A limousine permittee shall ensure the maintenance of [MAINTAIN] records pertaining to the service offered pursuant to that permit in the same manner as is required for taxicabs by section 11.20.120 A.1 through 4, B, and C.
- B. A limousine permittee shall maintain an accurate and current daily list of the time and place of passenger pickup and delivery, the number of passengers, the time a reservation was requested, the name of the person receiving the reservation, and the name and license number of the chauffeur who operated a limousine pursuant to that reservation.

11.20.260 Limousine service.

- A. [NO PERMITTEE OR CHAUFFEUR FOR A LIMOUSINE MAY TRANSPORT PASSENGERS PURSUANT TO A CALL FOR SERVICE OTHER THAN A RESERVATION MADE NO LESS THAN 90 MINUTES IN ADVANCE OF THE SERVICE.] It is unlawful for a limousine chauffeur to transport passengers pursuant to a curbside hail [OR OTHER REQUEST FOR IMMEDIATE SERVICE]. Limousine service shall only be provided pursuant to a previous call for service.
- B. [EXCEPT FOR LIMOUSINE SERVICE PROVIDED PURSUANT TO A REQUEST MADE AT LEAST 90 MINUTES IN ADVANCE,] L[L]imousine services, including executive sedan services, may only be provided pursuant to hourly charges posted in all

\$50.00 per hour for executive sedans and

limousine vehicles, clearly visible to customers, as follows:

1. For service from a specific point of departure to a specific destination, which requires no more than one hour, a minimum of one hour charge at a minimum rate of \$60.00 per hour for all limousines. ^{\$40.00} for executive sedans and \$45.00 per hour for limousines
2. For all other limousine service, a minimum 90-minute [TWO-HOUR] charge, with a minimum hourly charge of \$45.00 per hour based upon a [TWO CONSECUTIVE HOURLY] minimum [CHARGE] of 90 minutes.

C. Notwithstanding AMC 9.36.200.B.1, a limousine chauffeur shall not knowingly allow consumption of alcoholic beverages by a minor in the passenger compartment of the vehicle.

11.20.270 Limousine reservation service.

- A. Only a limousine permittee or designated agent may receive requests and make arrangements for limousine service.
- B. The business office of every limousine service shall be located within the M[M]unicipality.

11.20.300 Vehicles for hire-Permit required, transfer prohibited.

- A. It shall be unlawful for any person to offer a vehicle for hire in any manner except as authorized by a permit issued by the [ANCHORAGE TRANSPORTATION] C[C]ommission pursuant to this title.
- B. A vehicle for hire permit shall not be transferable under any circumstances.

11.20.310 Vehicles for hire-Application for permit.

- A. An application for a vehicle for hire permit shall be granted by the C[C]ommission if the applicant complies with subsections 11.20.020. B and is certified as required by section 11.10.170.
- B. An application for a vehicle for hire permit shall include a complete description of the transportation service to be offered pursuant to the vehicle for hire permit addressing, among other things:
 1. The nature of the vehicle to be used;

2. The hours of operation;
3. The area to be served;
4. The manner in which the service differs from that of a taxicab and limousine;
5. The business name of the transportation service to be offered;
6. A narrative description of the service to be offered and the fares to be charged; and
7. The period of time during which the permit to which the application pertains will be valid.

11.20.320 Vehicles for hire-Vehicle markings.

- A. Every vehicle for hire shall bear, in figures no less than four inches high, the trade name under which it is operated and its vehicle number, as assigned to it by the T[T]ransportation I[I]nspector, on each side of the vehicle.
- B. Every vehicle for hire shall post the applicable rates charged for service in such a place or manner as prescribed by the T[T]ransportation I[I]nspector.

11.20.330 Vehicles for hire-Equipment.

Every vehicle for hire shall be equipped at all times with an operable two-way communication system by which contact can be maintained with the business office of the permittee for that vehicle for hire. Such communication system shall not be used to monitor other frequencies not assigned to the permittee for that vehicle or to transmit or receive calls for immediate service [EXCEPT IN CONNECTION WITH SHARED RIDE SERVICE].

11.20.340 Vehicles for hire-Restriction on service [CURBSIDE AND IMMEDIATE SERVICE PROHIBITED].

It is unlawful for a vehicle for hire chauffeur to transport passengers pursuant to a curbside hail or other request for immediate service. A chauffeur may transport a passenger only pursuant to a call for service received by the business office and then referred to that vehicle for hire.

11.20.350 Vehicles for hire-Number of vehicles used per permit [VEHICLE TO BE DESIGNATED ON PERMIT APPLICATION; SUBSTITUTE VEHICLES].

1
2 Except as provided in section 11.20.050, only that vehicle designated on a permit
3 application shall be operated as a vehicle for hire pursuant to that permit.
4
5

6 **11.20.360 Vehicles for hire-Insurance required.**
7

- 8 A. Before any permit is issued for a vehicle for hire, the applicant shall furnish one or more
9 policies or certificates of liability insurance issued by an insurance company that is an
10 authorized insurer within the meaning of AS 21.90.900(5).
11
12 B. The insurance required by this section shall be subject to the same requirements as for
13 taxicabs under section 11.20.100.B.-E. [FOR VEHICLES WITH A MANUFACTURER'S
14 RATED SEATING CAPACITY OF SIX PERSONS OR LESS SHALL PROVIDE
15 COVERAGE AS FOLLOWS:
16
17 1. COMBINED SINGLE LIMIT FOR ALL BODILY INJURY OR PROPERTY
18 DAMAGE ARISING FROM ONE ACCIDENT: \$300,000.00; AND
19
20 2. FOR ALL PERSONS INJURED OR DEAD IN ANY ONE ACCIDENT CAUSED
21 BY AN UNINSURED MOTORIST: \$100,000.00.
22
23 C. THE INSURANCE REQUIRED BY THIS SECTION FOR VEHICLES WITH A
24 MANUFACTURER'S RATED SEATING CAPACITY OF SEVEN PERSONS OR
25 MORE SHALL PROVIDE COVERAGE AS FOLLOWS:
26
27 1. COMBINED SINGLE LIMIT FOR ALL BODILY INJURY OR PROPERTY
28 DAMAGE ARISING FROM ONE ACCIDENT: \$700,000.00; AND
29
30 2. FOR ALL PERSONS INJURED OR DEAD IN ANY ONE ACCIDENT CAUSED
31 BY AN UNINSURED MOTORIST: \$100,000.00.
32
33 D. THE POLICY OR POLICIES OF LIABILITY INSURANCE SHALL BE APPROVED
34 AS TO SUBSTANCE AND FORM BY THE RISK MANAGER FOR THE
35 MUNICIPALITY AND FILED WITH THE TRANSPORTATION INSPECTOR.
36
37 E. EVERY INSURANCE POLICY OR CERTIFICATE OF INSURANCE SHALL
38 CONTAIN A CLAUSE OBLIGATING THE INSURER OR SURETY TO GIVE THE
39 TRANSPORTATION INSPECTOR WRITTEN NOTICE NOT LESS THAN 30 DAYS
40 BEFORE THE CANCELLATION, EXPIRATION, NON-RENEWAL, LAPSE OR
41 OTHER TERMINATION OR MODIFICATION OF SUCH INSURANCE. A LAPSE,
42 CANCELLATION, EXPIRATION, NON-RENEWAL, TERMINATION, OR
MODIFICATION OF INSURANCE COVERAGE SHALL WORK AN AUTOMATIC

SUSPENSION OF ANY PERMIT FOR SO LONG AS THE PERMITTEE IS WITHOUT INSURANCE AS REQUIRED BY THIS SECTION. IT SHALL BE A VIOLATION OF THIS CHAPTER TO PROVIDE VEHICLE FOR HIRE SERVICE WITH A VEHICLE NOT INSURED AS REQUIRED BY THIS SECTION].

11.20.365 Vehicles for hire-Internal policy required.

A vehicle for hire permittee shall establish a set of written internal policies provided to a chauffeur and forward those internal policies to the Transportation Inspector.

11.20.370 Vehicles for hire-Records of services.

A vehicle for hire permittee shall maintain records pertaining to the service offered pursuant to that permit in the same manner as is required for limousines in section 11.20.250.

11.20.400 Horse-drawn vehicles-Permit required; transfer. [REPEALED]

- [A. NO PERSON MAY PROVIDE TRANSPORTATION FOR HIRE BY MEANS OF A HORSE-DRAWN VEHICLE UNLESS THAT PERSON IS IN POSSESSION OF A VALID PERMIT ISSUED TO HIM PURSUANT TO THIS CHAPTER.
- B. A SINGLE PERMIT MAY BE USED AS AUTHORIZATION FOR MORE THAN ONE HORSE-DRAWN VEHICLE OFFERED FOR HIRE SO LONG AS ALL SUCH VEHICLES ARE OPERATED UNDER THE SAME BUSINESS NAME BY THE SAME PERMITTEE AND EACH OF THEM IS DESIGNATED ON THE PERMIT.
- C. A HORSE-DRAWN VEHICLE PERMIT ISSUED PURSUANT TO THIS CHAPTER SHALL NOT BE TRANSFERABLE UNDER ANY CIRCUMSTANCES.]

11.20.410 Horse-drawn vehicle permits-Application for permit. [REPEALED]

- [A. AN APPLICATION FOR A PERMIT SHALL BE MADE TO THE TRANSPORTATION INSPECTOR ON A FORM HE HAS APPROVED AND SHALL BE ACCOMPANIED BY:
1. THE FEE SPECIFIED IN SECTION 11.10.160;
 2. PROOF OF INSURANCE FOR THE VEHICLE(S) AS REQUIRED BY THIS CHAPTER;

3. A COMPLETE LIST OF THE NAME, ADDRESS AND TELEPHONE NUMBER OF EVERY PERSON WHO SHALL HAVE A FINANCIAL OR PROPRIETARY INTEREST IN THE PERMIT;
4. PROOF THAT THE APPLICANT IS AT LEAST 18 YEARS OLD; AND
5. A COMPLETE LIST OF THE NAME, ADDRESS AND TELEPHONE NUMBER OF EVERY PERSON WHO WILL OPERATE THE HORSE-DRAWN VEHICLE PURSUANT TO THE PERMIT AND PROOF THAT EACH SUCH PERSON CURRENTLY HOLDS A VALID ALASKA DRIVER'S LICENSE.]

11.20.420 Horse-drawn vehicles-Vehicle to be designated on permit; substitute vehicles.
[REPEALED]

[NO HORSE-DRAWN VEHICLE MAY BE OPERATED PURSUANT TO A PERMIT UNLESS THAT VEHICLE IS DESIGNATED ON THE PERMIT OR HAS BEEN AUTHORIZED AS A SUBSTITUTE VEHICLE IN THE MANNER DESCRIBED IN SECTION 11.20.050 B. AN OPERATOR OF AN APPROVED SUBSTITUTE HORSE-DRAWN VEHICLE SHALL BE SUBJECT TO THE REQUIREMENTS OF SECTION 11.20.050 B REGARDING NOTICE OF THE SUBSTITUTION.]

11.20.430 Horse drawn vehicles-Insurance required.

- A. No person may[SHALL] operate a horse-drawn vehicle for hire or transport passengers in or upon a horse-drawn vehicle for hire without being insured by one or more policies of liability insurance issued by an insurance company authorized to do business in the State of Alaska with at least the following insurance coverage:

1. For all persons injured or deceased in any one accident: \$300,000.00;
- ~~1. For all persons injured or deceased in any one accident: \$300,000.00;~~
2. Damage to property in any one accident: \$25,000.00;
3. For all persons injured or deceased in any one accident caused by an uninsured motorist: \$100,000.00.

- B. The policy or policies of liability insurance shall be approved as to substance and form by the risk manager for the M[M]unicipality and filed with the T[T]ransportation I[I]nspector.

C. Every insurance policy or certificate of insurance shall contain a clause obligating the insurer or surety to give the T[T]ransportation I[I]nspector written notice not less than 30 days before the cancellation, expiration, non-renewal, lapse or other termination or modification of such insurance.

Section 3: That AMC Chapter 11.30 is amended to read as follows:

Chapter 11.30

CHAUFFEURS

Sections:

- 11.30.010 Chauffeur's [BUSINESS] license required by type of vehicle.
- 11.30.020 Application for license.
- 11.30.030 Temporary license.[REPEALED]
- 11.30.040 Issuance of chauffeur's license.
- 11.30.050 Posting of chauffeur's license.
- 11.30.060 Maximum number of [WORKING] hours per day.
- 11.30.070 Duty to serve public.
- 11.30.075 Airport, taxicab stand, and curbside hail reporting.
- 11.30.080 [CONSUMPTION OR USE OF] A [A]lcoholic beverages and
[OR] controlled substances.
- 11.30.090 Open containers of alcoholic beverages; purchasing alcoholic beverages.
- 11.30.100 [USE OF] M [M]ost direct route.
- 11.30.110 Exclusive use of taxicab.
- 11.30.120 Fares and receipts.
- 11.30.130 Two-way radio prohibited [POSSESSION OR USE OF RADIO CAPABLE
OF MONITORING OTHER DISPATCH SERVICE].
- 11.30.140 Records.
- 11.30.145 Requirements of check-in and check-out.

11.30.010 Chauffeur's [BUSINESS] license required by type of vehicle.

No person may operate a regulated vehicle [TAXICAB, LIMOUSINE OR VEHICLE FOR HIRE] without first obtaining a business license, referred to in this title as a chauffeur's license. Notwithstanding any other provision of law, the Commission may authorize the Transportation Inspector to issue a chauffeur's license allowing a chauffeur to operate a regulated vehicle or more than one of these types of vehicles. Chauffeur's licenses allowing operation of a taxicab shall be designated with the letter "T." Chauffeur's licenses allowing operation of a limousine shall be

1 designated with the letter "L." Chauffeur's licenses allowing operation of a vehicle for hire shall
2 be designated with the letter "V."

3
4
5 **11.30.020 Application for license.**

6
7 A. An application for a chauffeur's license shall be made to the T[T]ransportation I[I]nspector.

8
9 B. An application shall be submitted on a form approved by the T[T]ransportation I[I]nspector
10 and shall be accompanied by:

- 11
12 1. The fee specified in section 11.10.160.
13
14 2. Photographs to be taken by the T[T]ransportation I[I]nspector.
15
16 3. A complete set of fingerprints made by the Ancorage P[P]olice D[D]epartment or
17 T[T]ransportation I[I]nspector on an FBI-approved form.
18
19 4. A certificate from a physician licensed to practice medicine in the state verifying
20 the applicant's physical ability to drive and proof of a negative drug test certificate
21 from a municipal-approved drug and alcohol testing facility. A positive test
22 showing will be cause for denial of any license application.
23
24 5. Proof that the applicant currently holds a valid state driver's license which entitles
25 him to operate a vehicle by which persons are transported for compensation.
26
27 6. Proof that the applicant is at least 19 years old.
28
29 7. Demonstrated ability to read, write and speak the English language.
30

31 C. An application shall not be complete until the applicant has passed an examination
32 administered by the T[T]ransportation I[I]nspector or his or her designee and has
33 satisfactorily completed a C[C]ommission-approved course of study encompassing safe
34 driving, safe vehicle maintenance, knowledge of city streets and significant locations,
35 driver personal safety, elements of successful tourism and visitor service, and
36 C[C]ommission regulations encompassing drug and alcohol testing, driver behavior and
37 appearance, and any other subjects the C[C]ommission finds to be in the public interest of
38 ensuring safe and responsible public transportation. The course will include check ride
39 certification for new chauffeurs by persons authorized by the T[T]ransportation I[I]nspector
40 to conduct check rides.
41

42 D. Applicants for a chauffeur's license must show proof of successful passage of the chauffeur

training and testing program and payment of a fee required[DEVELOPED] by the
C[C]ommission.

E. Any person who has been denied a license pursuant to this chapter may not apply again for
such a license for a period of one year except for those denied or revoked under section
11.10.085.A.2 and 3 and pursuant to section 11.10.110.A.3.

F. A chauffeur applying for renewal of a chauffeur's license must have at least two hours
of refresher training before the license is renewed. The refresher training program
described in this subsection shall be provided by the Municipality of Anchorage.

11.30.040 Issuance of chauffeur's license.

The T[T]ransportation I[I]nspector shall issue a municipal chauffeur's license to an applicant only
if:

A. The applicant has submitted a complete application as prescribed in section 11.30.020; [.]

B. The applicant has not had a conviction entered by a court of competent jurisdiction within
twelve (12) months of:

1. A moving traffic violation which subjected the applicant's driver's license to
suspension or revocation pursuant to AS 28.15.221-28.15.261, or a similar law of
another jurisdiction;
2. Reckless [,NEGLIGENT OR CARELESS] driving;
3. Driving while license suspended or revoked; or
4. Driving while under the influence of intoxicating liquor, depressant, hallucinogenic,
stimulant, or narcotic drugs, or any controlled substance as defined in AS 28.35.030
or any similar law of another jurisdiction;[.]

C. The applicant has not had his or her driver's license suspended or revoked within one year
prior to the application date;[.]

D. The applicant has not had his or her chauffeur's license revoked under section 11.10.120
within one year prior to the application date;[.]

E. The applicant has not had a felony or misdemeanor conviction entered by a court of
competent jurisdiction within five (5) years of:

1. Assignment, prostitution, solicitation of the purpose of prostitution, offering to secure another for the purpose of prostitution, maintaining a vehicle for the purpose of prostitution, or accepting money from a prostitute for any of the afore-mentioned purposes;
 2. Sale, transportation, possession, or use of any controlled substance as defined in AS 11.71 or any similar law of another jurisdiction;
 3. Any felony or misdemeanor which includes as an element the use or threat of force upon a person;
 4. Burglary, larceny, fraud, theft, or embezzlement; or
 5. Any offense which pertains to sexual abuse of a minor or sexual exploitation of a minor; and
- F. Each representation made in the application is true and correct. Any false or misleading statement or misrepresentation as to a material matter on an application shall be grounds for denial of the application or revocation of the license.

11.30.050 Posting of chauffeur's license.

The chauffeur's license for the operator of a taxicab, limousine, or [A] vehicle for hire shall be posted in the interior of the taxicab, limousine, or vehicle for hire in the manner designated by the T[T]ransportation I[I]nspector. No person may operate a taxicab, limousine, or vehicle for hire unless his chauffeur's license is so posted.

11.30.060 Maximum number of [WORKING] hours per day.

No chauffeur may operate a taxicab, limousine, or vehicle for hire in excess of 12 consecutive hours. No chauffeur may engage in total gainful employment, whether chauffeuring or otherwise, for more than sixteen (16) hours in any twenty-four (24) hour period if the chauffeur has actually performed any chauffeuring in that 24-hour period. [NO CHAUFFEUR MAY OPERATE A TAXICAB, LIMOUSINE OR VEHICLE FOR HIRE UNTIL EIGHT HOURS HAVE ELAPSED SINCE THE END OF ANY PREVIOUS GAINFUL OCCUPATION, WHETHER CHAUFFEURING OR OTHERWISE.]

11.30.070 Duty to serve public.

1 A. The chauffeur [DRIVER] shall not refuse to transport any passenger unless:

2
3 1. The chauffeur [DRIVER] has already been dispatched to another call; [.]

4
5 2. The passenger is acting in a disorderly or threatening manner, or otherwise causes
6 the chauffeur [DRIVER] to reasonably believe that his or her health or safety, or
7 that of others, may be endangered; [.]

8
9 3. The passenger, upon request, does not show an ability to pay the estimated fare or
10 any applicable flat or group rate;

11
12 4. The passenger refuses to refrain from smoking; or

13
14 5. The passenger, upon request, refuses to refrain from eating and drinking.

15
16 B. The chauffeur [DRIVER] shall immediately notify the dispatcher of any incident of service
17 refusal.

18
19 C. A chauffeur shall inspect his or her regulated vehicle at the beginning and during his or her
20 shift ensuring the vehicle is in a safe operating condition and clean inside and outside. Any
21 mechanical or safety deficiencies noted shall be immediately reported to the vehicle owner.
22 A record of this notification and deficiency will be noted on the applicable trip sheet. The
23 vehicle owner shall take action to immediately correct safety deficiencies. Non-safety
24 deficiencies shall be corrected within 72 hours of notification. Failure of the chauffeur to
25 report a safety or mechanical deficiency may result in a citation.

26
27 D. It shall be unlawful for any chauffeur or passenger in a regulated vehicle to smoke any
28 cigar, pipe, or cigarette or to burn tobacco or any other material in such vehicles.

29
30 E. No chauffeur may eat or drink in a regulated vehicle while ~~the vehicle is in motion or a~~
31 passenger is in the vehicle.

32
33 F. No chauffeur of a regulated vehicle may play an audio entertainment device while a
34 passenger is in the vehicle unless requested by the passenger. A chauffeur of a regulated
35 vehicle may play an audio entertainment device only if all passengers do not
36 object.

37 11.30.075 Airport, taxicab stand, and curbside hail reporting.

38
39 Taxicab chauffeurs shall report to the dispatcher the trip origin and destination when
40 departing the airport and taxicab stands and picking up passengers from curbside hails.

41
42

11.30.080 **Alcoholic beverages and controlled substances.**

No chauffeur may drink alcoholic beverages or be under the influence of a depressant, hallucinogenic, stimulant, or narcotic drug, or any controlled substance as defined by AS 28.35.030, while on duty or for eight [THREE] hours prior to operating a regulated vehicle [TAXICAB, LIMOUSINE, OR VEHICLE FOR HIRE OR BUS].

11.30.090 **[CONSUMPTION OR USE OF] Alcoholic beverages or controlled substances.**

- A. No chauffeur may operate a taxicab or vehicle for hire when there is an open container of alcoholic beverage in the vehicle. For the purpose of this section, "open" means that the seal around the lid, cap, or cork of the container has been broken, or that the lid, cap, or cork has been removed.
- B. No chauffeur may purchase, [N]or solicit the purchase of, an alcoholic beverage for another person in connection with performance of his or her duties as a chauffeur.

11.30.100 **[USE OF] Most direct route.**

Every chauffeur of a taxicab shall follow the most direct route to the passenger's destination, unless otherwise directed by the passenger [OR UNLESS A LESS DIRECT ROUTE IS REQUIRED IN CONNECTION WITH SHARED RIDE TAXI SERVICE].

11.30.110 **Exclusive use of taxicab.**

[EXCEPT FOR A TAXICAB ENGAGED IN SHARED RIDE SERVICE IN THE MANNER PROVIDED BY THIS TITLE, E[E]very chauffeur of a taxicab shall carry no more than one passenger or one group of passengers at any one time without the express consent of that passenger or group of passengers.

11.30.120 **Fares and receipts.**

- A. No taxicab chauffeur may require payment of rates greater than those established by the C[C]ommission pursuant to section 11.10.050.
- B. On request of any passenger paying a fare, a chauffeur shall provide a receipt indicating the fare received, the date, [PLACE OF PICKUP, DESTINATION,] permit number, dispatch company, and the chauffeur's legibly printed name.

1 [C. WHENEVER A CHAUFFEUR OPERATES A TAXICAB FOR SHARED RIDE
2 SERVICE, HE SHALL CONSPICUOUSLY DISPLAY THE APPROVED RATES FOR
3 THAT SERVICE IN A MANNER PRESCRIBED BY THE TRANSPORTATION
4 INSPECTOR.

5
6 D. THIS SECTION DOES NOT APPLY TO A CHAUFFEUR OF A BUS.]
7

8
9 11.30.130 Two-way radio prohibited. [POSSESSION OR USE OF RADIO CAPABLE OF
10 MONITORING OTHER DISPATCH SERVICE.]
11

12 No chauffeur may possess in a taxicab or allow another to operate a radio capable of
13 monitoring a frequency used by a dispatch service other than that used by the taxicab's dispatch
14 service.
15

16
17 11.30.140 Records.
18

19 A. At all times a chauffeur shall carry in the taxicab a trip sheet in a form approved by the
20 T[T]ransportation I[I]nspector. Immediately after a chauffeur goes on duty, he or she shall
21 enter the following information at the top of a trip sheet:
22

- 23 1. The chauffeur's name and license number, taxicab number, taximeter number, and
24 date of report; and [.]
25
26 2. The times between which the chauffeur is scheduled to operate the taxicab on the
27 day the trip sheet is prepared.
28

29 B. Immediately after the passenger(s) requesting [WHO HAS REQUESTED] service is in the
30 taxicab, the [A] chauffeur shall enter on a trip sheet the time and place of passenger pickup
31 and the number of passengers transported.
32

33 C. Immediately after a taxicab chauffeur has discharged a passenger from the taxicab, he or
34 she shall enter on a trip sheet the time of passenger delivery, the destination, and the
35 amount of the fare received or that no fare was received.
36

37 D. A taxicab chauffeur shall retain all trip sheets prepared pursuant to this section for not less
38 than ninety (90) days. A chauffeur shall produce any or all of his or her trip sheets upon
39 request of [THE COMMISSION,] the T[T]ransportation I[I]nspector or a police officer.
40 [THE TRANSPORTATION INSPECTOR MAY REQUEST THAT] T[T]he chauffeur
41 shall forward the trip sheets [RECORDS] to the Transportation Inspector [HIM] on a
42 monthly basis [AND THE CHAUFFEUR SHALL] if ordered to do so.

11.30.145 Requirement of check-in and check-out.

Each chauffeur of a taxicab must check in with the dispatch service engaged by the permittee when the chauffeur begins a work shift and check out when the chauffeur departs a work shift.

Section 4 That AMC Chapter 11.40 is amended to read as follows:

Chapter 11.40

DISPATCH SERVICE

Sections:

- 11.40.010 Dispatch service l[L]icense required.
11.40.020 Dispatch service license a[A]pplication [FOR LICENSE; ISSUANCE OF LICENSE].
11.40.030 Dispatch service license t[T]ransfer [OF LICENSE].
11.40.040 Mandatory dispatch service [PROVISION OF SERVICE; JOINT DISPATCH SERVICE].
11.40.050 Dispatch service o[O]peration [GENERALLY].
11.40.060 Records.
11.40.070 Dispatch s[S]ervice taxicab rates to be set out by internal rule.
11.40.080 Dispatch service taxicab rates--Application for change in rates.
11.40.090 Dispatch service taxicab rates--Effective date [OF CHANGE IN SERVICE RATES].
11.40.100 [EFFECTIVE DATE OF CHANGES IN DISPATCH RATES.] [REPEALED.]

11.40.010 Dispatch service license required.

No person may dispatch taxicabs without first obtaining a dispatch service license from the C[C]ommission.

11.40.020 Dispatch service license application [FOR LICENSE; ISSUANCE OR LICENSE].

- A. An application for a dispatch service license shall be made to the T[T]ransportation I[I]nspector.

B. An application for a dispatch service license shall be submitted on a form approved by the T[T]ransportation I[I]nspector and shall be accompanied by:

1. The fee specified in section 11.10.160; [.]
2. Proof that the applicant has obtained and possesses a valid Federal Communications Commission frequency license and identification of those frequencies authorized to be used in the dispatch service; [.]
3. A list of the name, address, and telephone number of every person who will have a financial, [OR] proprietary, or security interest in the license; [.]
4. A proposed color scheme, name, and markings to be used by taxicabs dispatched by the applicant which is substantially different from the color scheme, name, and markings used or proposed for use by any other dispatch company licensed under this title; and [.]
5. Proof that the applicant is at least eighteen (18) years of age.

C. A dispatch service license shall be issued by the C[C]ommission if the applicant complies with this section, is certified as required by section 11.10.170 and has not had a felony or misdemeanor conviction entered by a court of competent jurisdiction within five (5) years of:

1. Assignment, prostitution, solicitation for the purpose of prostitution, offering to secure another for the purpose of prostitution, maintaining a vehicle for the purpose of prostitution, or accepting money from a prostitute for the afore-mentioned purposes; or [.]
2. Sale, transportation, possession, or use of any controlled substance as defined in AS 11.71 or any similar law of another jurisdiction.

11.40.030 Dispatch service license-T[T]ransfer [OF LICENSE].

A. No person may transfer any interest in a dispatch service license or any interest in the corporation, joint venture, association, partnership, or other entity which owns an interest in a dispatch service license unless that person obtains the prior approval of the C[C]ommission.

B. Only a dispatch service licensee can transfer his or her interest in a dispatch service license

to another. An application for transfer shall be made to the T[T]ransportation I[I]nspection on forms approved by the T[T]ransportation I[I]nspector and shall be accompanied by a proposed bill of sale which states the specific consideration to be paid by the transferee. If the transferee meets the requirements of this section and those of section 11.40.020, the C[C]ommission shall approve the transfer. A dispute arising from the underlying contract of sale is not grounds upon which the C[C]ommission can refuse to transfer a dispatch service license.

11.40.040 Provision of service; joint dispatch service.

- A. Except as otherwise provided in this section, a dispatch service shall serve all taxicab permittees and their chauffeurs who request dispatch service and meet the requirements of this section so long as the fee for such service has been paid.
- B. A dispatch service ^{shall} ~~may~~ promulgate reasonable internal rules and regulations and shall supply the T[T]ransportation I[I]nspector with a current copy thereof at all times. A dispatch service may refuse to serve a permittee or chauffeur only after the permittee or chauffeur has repeatedly [HABITUALLY] and knowingly violated one or more provisions of the reasonable rules and regulations on file with the T[T]ransportation I[I]nspector. If a dispatch service executes one or more types of written contracts pertaining to dispatch of taxicabs, the dispatch service shall supply the T[T]ransportation I[I]nspector with one copy of each such current contract form at all times.
- C. ~~A dispatch service shall not dispatch any taxicab unless such taxicab is being operated by a properly licensed chauffeur pursuant to a valid taxicab permit.~~ A dispatch service may only provide dispatch service to a permitted taxicab.
- D. A dispatch service may dispatch taxicabs from another taxicab company, but that company shall retain its own business name, style and color and shall be substantially different in its business name, style and color from that used by any other dispatch company.
- E. A dispatch service seeking to merge with another for joint dispatch service shall submit a plan which includes all the terms and conditions of the merger to the T[T]ransportation C[C]ommission for approval.
- F. Each dispatch service shall establish a system for identifying radio transmissions from each taxicab which is dispatched through the dispatch service.
- G. See #4 on Amendment page.

11.40.050 Dispatch service o[O]peration [GENERALLY].

- A. Every dispatch service shall be located within the M[M]unicipality.

- 1
2 B. Every dispatch service shall respond to telephone calls, maintain radio communications
3 with every taxicab subscribing to its service, and have a dispatcher on duty at least twenty
4 (20) hours during every twenty-four (24) hour period.
5
6 C. No dispatch company may require payment of rates other than those established by the
7 C[C]ommission pursuant to this title. Sections 11.40.080 through 11.40.100 shall not apply
8 to contract rates.
9
10 D. No dispatch service may dispatch a taxicab operated pursuant to a limited taxicab permit
11 unless the dispatch service has the ability to communicate by radio with all parts of the
12 geographical area to be served by that taxicab.
13
14 E. A dispatch company shall investigate customer complaints presented to the dispatch
15 company and take appropriate action.
16
17

18 11.40.051 — Caller identification required:
19

20 ~~Dispatch companies shall not accept a request for taxicab service or dispatch a taxicab without~~
21 ~~identifying and recording the person or persons making the request and the telephone number from~~
22 ~~the person or persons are calling. Each dispatch company shall cause to have installed a caller~~
23 ~~identification system which will automatically display the telephone number of each caller.~~
24
25

26 11.40.052 Dispatcher and telephone assistant drug and alcohol testing.
27

- 28 A. ~~By regulation, the~~ ^{The} ~~C[C]ommission shall~~ ^{propose regulations to:}
29
30 1. Cause to be established a drug and alcohol testing program for dispatchers and
31 telephone assistants. The program shall include applicant drug screening tests,
32 random tests, and reasonable cause tests. The program shall be approved ~~and~~
33 ~~administered~~ by the T[T]ransportation [I]nspector.
34
35 2. Provide for the immediate order by the T[T]ransportation [I]nspector that a
36 dispatch company stop employing as a dispatcher or telephone assistant any such
37 dispatcher or telephone assistant failing, or failing to submit to, such an applicant
38 drug test, a random drug or alcohol test, or a reasonable cause drug or alcohol test
39 for a period of not less than six (6) months for a first offense and not less than two
40 years for a second or subsequent offense.
41
42 3. Provide for fees to pay for drug and alcohol testing with costs of testing for

applicant drug screening borne by applicants and costs of subsequent testing borne by dispatch companies.

B. A design, cost structure, and fee determination for the drug and alcohol testing program shall be developed by the C[C]ommission and submitted to the assembly for approval subject to the following conditions:

1. Costs for a drug screening shall be borne by applicants for jobs as dispatchers and telephone assistants.
2. Direct operational costs for random and reasonable cause drug and alcohol testing program shall be borne by dispatch companies ~~through an increase in the annual permit renewal fee.~~

11.40.053 Two-way communication requirement between dispatchers and taxicab chauffeurs.

A. Two-way radio communication.

Each dispatch company licensed under this title must operate and maintain a two-way communications system between dispatchers and taxicab chauffeurs. The two-way communication system shall allow each chauffeur on a dispatch company radio frequency to monitor dispatcher transmissions and transmissions from other chauffeurs on that dispatch company radio frequency/unless they meet the requirements of subsection B.

B. See #5 on Amendments page.

11.40.054 Standardized training and certification programs, standardized emergency notification code, and biennial refresher training.

Dispatch services shall establish a standardized training and certification program that each dispatcher must complete successfully before beginning or maintaining employment as a dispatcher. Such standardized program will include but not be limited to a standardized emergency notification code with procedures and a biennial refresher training course. The scope and curriculum of such training programs shall be approved by the T[T]ransportation C[C]ommission before the course is offered.

11.40.057 Compliance with Federal Communications Commission regulations.

Each dispatch service shall take steps to ensure that dispatchers and chauffeurs comply with the regulations of the Federal Communications Commission as to operation of radios.

11.40.060 Records.

A. Every dispatch service shall maintain a current and accurate list of:

1. The permit number, name, and address of the permittee for each taxicab dispatched and the number of daily hours each such taxicab is operated during every calendar month; and [.]
2. Daily dispatch activity, including the taxicab numbers, the permit number pursuant to which the taxicab is operated, the time of calls for service, and the place of passenger pickup.

B. The records maintained pursuant to subsection A of this section shall be retained by the dispatch service[LICENSEE] for at least two years and shall be made available upon request by the C[C]ommission, the T[T]ransportation I[I]nspector, or a police officer. The T[T]ransportation I[I]nspector may request that a dispatch service forward the records to him or her on a monthly basis.

11.40.070 Dispatch service taxicab rates to be set out by internal rule.

Service rates for service provided by taxicabs subscribing to a particular dispatch company shall be set out as an internal rule of the dispatch service pursuant to section 11.40.040.B.

11.40.080 Dispatch service taxicab rates--Application for change in rates.

A dispatch service may establish a rate-setting rule by filing an application which includes the proposed rule with the C[C]ommission and the date on which the proposed rate change will take effect and by undertaking any other notices required by the T[T]ransportation I[I]nspector. The rate requested must not exceed the rate as established by the C[C]ommission.

11.40.090 Dispatch service taxicab rates--Effective date of change [IN SERVICE RATES].

Dispatch service taxicab rates shall become effective no earlier than 30 days after application to the C[C]ommission and publication of the rates as required by the C[C]ommission, or at a later date, if set by the C[C]ommission. Changes in dispatch rates shall become effective no earlier than 30 days after written notice is sent to the T[T]ransportation C[C]ommission and to the permit owners by the dispatch service.

11.40.100 Dispatch rates--Establishment [REPEALED].

[CHANGES IN DISPATCH RATES SHALL BECOME EFFECTIVE NO EARLIER

1 THAN 30 DAYS AFTER WRITTEN NOTICE IS SENT TO THE TRANSPORTATION
2 COMMISSION AND TO THE PERMIT OWNERS BY THE DISPATCH SERVICE].

3 Section 5. See #6 on Amendments page.

4 Section 6. That this ordinance shall become effective 60 days after passage and approval of
5 the Assembly.

6
7
8 PASSED AND APPROVED by the Anchorage Assembly this 4th day of May,
9 1997.

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Chair of the Assembly

ATTEST:


Municipal Clerk

AMENDMENTS TO AO 98-51(S)

#1: Add the following sentence on page 18, line 9:

The Transportation Inspector may relax or suspend permittee penalties for civil violations by the permittee's agent or lease operator with whom the permittee has entered an agreement, to the extent that the permittee has taken remedial action for offenses caused by the agent or lease operator.

#2. Add the following sentence on page 22, line 27:

A citation for operating without a valid chauffeur's license or a citation for operating with an expired chauffeur's license shall not cite anyone for operation on a date before the citation is served.

#3. Add the following sentence on page 36, line 31:

Dispatch services will make the initial inspection of vehicles placed into service or vehicles that are repainted for compliance with approved paint design, color, and markings.

#4. Add a new paragraph G on page 58, line 39 to read:

- G. A dispatch service company shall provide a posting area within its operations center which contains information, policies, and procedures disseminated by the Commission.

#5. Add a new paragraph B on page 60, line 22:

- B. *Computerized dispatch communication.* Any dispatch company which has installed and is using a GPS based electronic dispatch system which transmits digital communication to and from its taxicabs is not required to maintain continuous two-way voice communication between its taxicabs and dispatch service.

Any dispatch company which has installed and is using a GPS based electronic dispatch system which transmits digital communications to and from its taxicabs is not required to have radio identifiers from the taxis to the dispatch when on voice.

#6. Renumber existing Section 5 to Section 6 and add a new Section 5 to read:

Ordinance review. Within one year after implementation of this ordinance the Mayor, in conjunction with the Transportation Commission, Transportation Inspection, Municipal Attorney's Office, Assembly Office and the industry, shall review this ordinance and report and make recommendations to the Assembly regarding the effectiveness of this ordinance. The report shall specifically include but not be limited to the following information: practicality of the ordinance and any problems with implementation, enforcement and compliance; the impact of the ordinance on the number of citations issued, suspensions, revocations and fines assessed; and the need for additional amendments to further improve AMC Title 11.